

FURTHER SUPPLEMENTARY RETURN

To an Address to His Excellency the Governor General of the 24th March, 1924, praying that he will cause to be laid before the House a copy of all memoranda, correspondence, telegrams and other documents exchanged between the Government of Canada or any of its members and other governments, corporations or individuals, since the first day of January, 1922, relating to the St. Lawrence Waterway Route, and the establishment of dams on the St. Lawrence for the development of certain water-powers.

A. B. COPP,
Secretary of State.

Mover: Mr. ARCHAMBAULT.

OTTAWA, April 3, 1924.

DEAR SIR,—I have the honour by direction to transmit herewith a Return to an Address of the House of Commons of Canada, so far as the Department of Agriculture is concerned, showing a copy of all memoranda, etc., between the Government of Canada or any members thereof, since January 1, 1922, re St. Lawrence Waterway Route, and have to request that you will be good enough to cause the same to be forwarded to the proper officer for submission to the House.

Reference No. 46 is returned herewith.

I have the honour to be, Sir,

Your obedient servant,

A. L. JARVIS,
Assistant Deputy Minister and Secretary

The Under-Secretary of State,
Ottawa

OTTAWA, March 20, 1924.

J. E. H. LAIDLAW, Esq.,
Secretary-Treasurer,
Rural Municipality of Swift Current No. 137,
Swift Current, Sask.

DEAR MR. LAIDLAW,—I am in receipt of your favour of the 14th March, together with copy of a resolution unanimously adopted by the Rural Municipality of Swift Current, urging the deepening of the canals of the St. Lawrence to permit access of ocean ships to the head of the Lakes.

In reply, Mr. Laidlaw, I think I cannot do better than attach hereto copy of the Speech from the Throne, which was delivered by the Governor General on the opening day of the Session and which contains the Government's programme for this Session. You will, I know, be interested to find that one paragraph deals with the subject you mention.

Thanking you for your representations, I am,

Yours very truly,

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RURAL MUNICIPALITY OF SWIFT CURRENT No. 137

SWIFT CURRENT, SASK., March 14, 1924.

Hon. W. R. MOTHERWELL,
Minister of Agriculture,
Ottawa, Canada.

HON. AND DEAR SIR,—Enclosed herewith please find copy of a resolution unanimously adopted by our council board at a regular meeting on Saturday, March 1.

Believing that nothing which can be devised will effect such a comprehensive solution to the grievous transportation problems confronting Western Canada as the deepening of the canals of the St. Lawrence to permit access of ocean ships to the head of the Lakes, we trust you will give this resolution your very best practical consideration.

Yours very truly,

(Sgd.) J. E. H. LAIDLAW,
Secretary-Treasurer.

ST. LAWRENCE DEEP WATERWAY IMPROVEMENT

Resolution Adopted by the Rural Municipality of Swift Current No. 137 in Regular Council Meeting at Swift Current, Sask., on Saturday, March 1, 1924.

Whereas the Council of the Rural Municipality of Swift Current No. 137 is cognizant of the fact that excessive transportation costs are one of the factors contributing most seriously to the economic problems which affect the farmers of Western Canada:

Whereas excessive charges which prevail in connection with the lake and rail haul of grain and other exportable products from Port Arthur to the seaboard constitute a very heavy setback on the net price received by the farmer for these products:

Whereas the proposed deepening of the St. Lawrence canals for power and navigation purposes will reduce these lake and rail rates from approximately 13 cents per bushel on wheat to 4 or 5 cents a bushel from Port Arthur to Montreal, thus making a saving of 8 or 9 cents a bushel on freight charges:

Whereas the development of these deepened canals is proposed in a section of the St. Lawrence river that is owned equally between Canada and the United States, with costs to be shared according to the benefits to be derived by each country:

Whereas the development of hydro-electric power in this international section will produce a revenue that will take care of the amortized bonds for the whole undertaking, making the project self-financing and self-supporting, without the necessity of special taxation upon the people.

Therefore be it hereby resolved that this Rural Municipality of Swift Current No. 137 request that the Government of Canada act in conjunction with the Government of the United States for the purpose of going ahead at the earliest possible moment with the deepening of the St. Lawrence canals in the international section between lake Ontario and Montreal, to a depth of 25 feet instead of the present depth of 14 feet, in order that the large lake freighters may have free access from the head of the lakes to Montreal, and that ocean tramp steamers may be permitted an open seaway through to the head of the lakes, thus carrying our grain and other exportable products at a minimum lake freight charge from the ports of Port Arthur and Fort William to the markets of the world:

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And that copies of this resolution be sent to Premier King at Ottawa, and all the Dominion Cabinet Ministers, to our constituency member of the Dominion House, and to the Premiers of the provinces of Manitoba, Saskatchewan, Alberta, Ontario and Quebec.

Dated at Swift Current, Sask., this 1st day of March, 1924.

Resolution unanimously adopted.

(Sgd.) J. E. H. LAIDLAW,
Secretary-Treasurer,

R. M. of Swift Current, No. 137.

Copy

OTTAWA, March 1, 1924.

Wm. McINNIS, Esq.,
2236 Smith Street,
Regina, Sask.

Dear Mr. McINNIS,—Your favour of the 25th inst., with respect to Deep Waterways, came to hand yesterday, and I think the best reply I can send you is to attach hereto copy of Votes and Proceedings, No. 1, of the House of Commons, in which you will find the Speech from the Throne, which has special reference to the matter about which you write me.

I am, yours very truly,

Encl.

2236 SMITH STREET, REGINA, SASK., February 25, 1924.

Honourable W. R. MOTHERWELL,
Parliament Buildings,
Ottawa, Canada.

Re *Deep Waterways*

SIR:

No doubt you are well acquainted with all the facts in connection with this enterprise. There is only one solution to freight rates, and I think the waterways is it, and in the coming session I think a man in your position has a great opportunity to help Western Canada out of a lot of the difficulties which farmers are up against at the present time. The Hudson Bay Route has been in the air for so long, that I think it amounts to nothing, and never will and I do hope that you will see your way clear to not leave a stone unturned to try to get this waterways deal through this session, especially while the United States are willing to do so much towards the financing of the whole deal.

Yours sincerely,

(Sgd.) Wm. McINNIS.

Copy of Resolution Adopted at the Annual Meeting of the Associated Boards of Trade of Saskatchewan at Moose Jaw, Sask., February 27, 1924.

ST. LAWRENCE DEEP WATERWAY IMPROVEMENT

Whereas substantial reductions in transportation rates on grain, cattle and other exportable products of Western Canada will reasonably ensue from the completion of the St. Lawrence Deep Waterway Improvement, whereby the large lake freighters will have through navigation to Montreal, and ocean tramp

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steamers an open seaway to the Head of the Great Lakes, thus eliminating costly transfers and rail haul between Buffalo and New York and between Georgian Bay ports and Montreal:

And whereas these reductions, together with lower freight charges on incoming commodities from Eastern ports and overseas will unquestionably promote most effectively the permanent growth and development of Western Canada:

And whereas the deepening of the canals between Lake Ontario and Montreal is proposed in a section of the St. Lawrence river that is international waters, owned equally between Canada and the United States, with costs to be shared according to the benefits derived by each country:

And whereas, according to a memorandum in possession of the Dominion Government, the development of hydro-electric energy in this international section will provide a revenue that will pay the total cost of the undertaking, without imposing a cent of added taxation upon either country, and without increasing the burden of Canada's national debt:

Therefore, be it resolved that this annual meeting of the Saskatchewan Associated Boards of Trade assembled at Moose Jaw, Sask., this 27th day of February, 1924, does hereby approve and endorse the action of the Dominion Government in conferring with the Government of the United States in a proposal to obtain fullest technical and economic details concerning the Deep Waterway project, and that we respectfully request our Government to consummate present negotiations without unnecessary delay.

OTTAWA, February 25, 1924.

Chas. THORESON, Esq.,
Secretary-Treasurer, Board of Trade,
Swift Current, Sask.

Dear Mr. THORESON,—Mr. Motherwell has asked me to acknowledge and thank you for your favour of the 20th instant together with resolution respecting the Deep Waterways, which was unanimously passed by your Board at a general meeting on February 12th.

Your very truly,
Private Secretary.

THE SWIFT CURRENT BOARD OF TRADE

SWIFT CURRENT, SASK., February 20, 1924.

Honourable W. R. MOTHERWELL,
Parliament Buildings,
Ottawa, Canada.

Hon. and DEAR SIR,—Upon instructions of the Swift Current Board of Trade Executive Council, I enclose herewith for your information and consideration copy of a resolution respecting the Deep Waterways, which was unanimously passed at a general meeting of the Board of Trade on February 12th, 1924.

Yours truly,
(Sgd.) Chas. THORESON,
Secretary-Treasurer.

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THE SWIFT CURRENT BOARD OF TRADE, SWIFT CURRENT, SASK., CANADA

Resolution unanimously adopted by Swift Current Board of Trade, Tuesday evening, February 12, 1924.

Moved by R. T. Graham, seconded by A. E. Longmore:

Whereas excessive charges which prevail in connection with the lake and rail haul of grain and other exportable products of the prairie provinces from Port Arthur to seaboard constitutes a very heavy financial setback on the net price received by the farmer for these products;

And whereas the proposed deepening of the St. Lawrence canals for power and navigation purposes will reduce these lake and rail rates from approximately 13 cents per bushel on wheat to 4 or 5 cents a bushel, Port Arthur to Montreal, thus making a saving of 8 or 9 cents a bushel on wheat carried to Montreal by the large freighters; and a further reduction of from 1 to 3 cents where tramp steamers can carry our grain direct from the head of the lakes to Liverpool without any transfer whatsoever;

And whereas the development of these deepened canals is proposed in a section of the St. Lawrence river that is international waters, owned equally between Canada and the United States, with costs to be shared according to the benefit to be derived by each country;

And whereas the development of power in this international section will produce a revenue that will pay for the whole cost of the undertaking, thus making the project self-financing and self-supporting, without imposing a cent of added taxation upon either country, and without increasing the burden of Canada's national debt;

And whereas the deepened St. Lawrence, besides providing unquestionable great savings on transportation rates for exportable products and incoming commodities, will also be a great stimulus to the more intensive development of the agricultural West, and provide an outstanding incentive for attracting new immigration;

Therefore be it resolved, that the Swift Current Board of Trade does hereby approve and endorse the action of the Dominion Government in conferring with the government of the United States in an effort to obtain further technical details concerning the St. Lawrence project. And that we hereby respectfully request that the Dominion Government will proceed with all the haste possible to consummate present investigations in order that a satisfactory treaty between the two countries may be arrived at, and work upon the project actually begun at the earliest possible moment with a view to its speedy completion in the economic interest of the Dominion of Canada at large;

And that copies of this resolution be sent to Hon. W. L. Mackenzie King, Prime Minister, the various Cabinet Ministers at Ottawa, to our constituency member of the Dominion House; also that copies be sent to the various Boards of Trade of Saskatchewan, Manitoba and Alberta, and to the associated Boards of Saskatchewan, asking their endorsation of this resolution.

W. W. COOPER, *President.*

CHAS. THORESON, *Secretary.*

SWIFT CURRENT, SASK., February 21, 1924.

OTTAWA, April 28, 1924.

SIR,—I have the honour to enclose herewith the information in the Department of the Interior asked for in the Address of the House of Commons dated 24/25 March, 1924, your Reference No. 46, moved by Mr. Archambault showing:

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"A copy of all memoranda, correspondence, telegrams and other documents, exchanged between the Government of Canada or any of its members and other Governments, corporations or individuals since the 1st of January, 1922, relating to the St. Lawrence Waterway Route, and the establishment of dams, on the St. Lawrence River, for the development of certain water-powers."

I have the honour to be,

Sir,

Your obedient servant,

W. W. CORY,

Deputy Minister.

THOMAS MULVEY, Esq., B.A., K.C.,
Under-Secretary of State,
Ottawa.

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A. G. CHISHOLM, K.C.,
Barrister, etc.

CANADIAN BANK OF COMMERCE CHAMBERS,
CORNER DUNDAS AND RICHMOND STREET,
LONDON, CANADA, December 18, 1923.

Right Hon. W. L. MACKENZIE KING, P.C.,
Prime Minister,
Ottawa, Ont.

DEAR SIR,—For some months past I have been gathering all the data connected with or bearing on the so called Great Waterways scheme for the improvement of the St. Lawrence canal system, that my reading has led me to, and one conclusion reached, is that there is a very highly organized system of propaganda being conducted in the endeavour to force the hand of the Canadian Government, to enter into negotiations with the United States on this subject. This may not be altogether apparent to a casual observer at the present time, but I will be greatly surprised if some development does not take place within the next three months. In my view, it is the most important question, I make no exception, any Canadian Government has had to consider since Confederation.

My study of this subject has not been along the line of whether or not the navigation project is economically feasible or could be made a commercial success, though I have read enough to convince me it cannot; but rather what would be the effect on the political future of the country, of surrendering to International control, Canada's chief outlet to the Sea. My conclusion is it would mean a "complete sacrifice of Canadian autonomy," and is fraught with the direst possibilities for continued Canadian independence.

I have also concluded, that as it is apparent what would be the logical result of the scheme, if carried out, it is not a question on which Canadians can consent to any negotiation. A conference to negotiate a treaty, which failed of result, would undoubtedly provoke an acrimonious feeling in the United States, more particularly in the Middle West, and once aroused in an emotional people like the Americans, one cannot foretell the end. Later American Writers concede it was the West which drove the American government to war in 1912.

My own opinion is, that the only safe reply a Canadian government can make to any overtures on this subject is, that our policy for many years has been to construct and maintain an independent Canadian outlet to the sea, and that this cannot now be altered. If the American Government desires a waterway, let them construct a canal on their own side, the same as we have with the Welland, or at the Sault. It may be remembered, the latter while long contemplated, was actually begun and rushed to completion because of Cleveland's attempt to withdraw the Bonding privilege, and this threat was made because Canada would not surrender to the Americans on the Fisheries question, and the whole Fisheries embroglio which lasted for nearly one hundred years, arose through the complacent attitude of Lord Bathurst to American pretensions in 1915, and so on and so on, in an endless chain.

I could write pages in justification of these conclusions, and I think demonstrate the correctness of the views I express, and I hope to make some use of the information I have acquired to influence public opinion, for I believe at present there is little real knowledge of the matter and its possibilities, but I cannot refrain from now forwarding you these remarks, even if only to show appreciation of what is the very serious and vital question, your Government will undoubtedly have to decide upon in the near future, and my conviction of how the whole scheme of Canadian independence is inseparably linked, with our unfettered control of a St. Lawrence route to the Sea.

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In expressing the above views, I may strike a discordant note, but I run that risk for, above all things I am a Canadian and have the most profound conviction of the peril to be here avoided. I am sure then under the circumstances, you will find some excuse for my addressing you on the subject. With cordial assurances of my esteem, believe me to be,

Very sincerely yours,
(Sgd.) ANDREW GORDON CHISHOLM.

ONTARIO

OFFICE OF THE PARLIAMENTARY UNDER SECRETARY,
DEPARTMENT OF LANDS AND FORESTS AND DEPARTMENT OF MINES.

The Right Honourable Mr. KING,
Prime Minister of Canada,
Ottawa, Ontario.

Dear Mr. KING,—In the first place, in accordance with the season, let me wish you a pleasant Christmas and a Happy New Year.

In the next place, you will recall, at the deputation when we were before you and on one or two other occasions, the suggestion that the United States should again communicate and reopen the negotiations respecting the St. Lawrence.

It was difficult to get this done. The former President felt that the answer he received through his Secretary of State was the quietus.

The new President, however, has acted and communicated with your Government.

Simply as one who thinks he understands this question and thinks that it is the question that carries more benefit to Canada than any other public question, may I urge that as far as possible you meet the United States in their present request?

May I point out to you, as suggested at the time when you did me the honor of dining with me in my house at Ottawa, that this is one of the quick ways to settle the diversion of waters by the Chicago drainage canal? The City of Chicago is quite desirous of seeing the St. Lawrence consummated, and once the United States and Canada are associated on the problem they will not be interested in interfering with their new outlet to the sea through our territories, and this would make a clean up of what otherwise is a disagreeable situation.

Then again, Ontario is faced with a shortage of power and she can only get that from the International section in which she is interested.

All these things combined, together with the high price that is charged up eventually to the Western producer because the big upper lake carrier cannot go on to Montreal or any other St. Lawrence River ports, makes me believe that your Government will realize the wisdom, in the interests of Canada, of taking up this problem.

The West is now beginning to realize that they are paying more in this extra freight annually than the whole of Canada would have to pay for the sinking fund and interest and operating expenses for its share in the proposed development, and this, supposing that there is no revenue whatever from power produced.

You will remember that it was suggested that the United States should pay one-half the cost of the work and also one-half the cost of the Welland. When this is figured out and then the interest and sinking fund computed, even

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without any power revenue to liquidate what Canada's remaining portion would be, the amount is much less than the West annually loses in the unnecessary water rate.

I do sincerely trust, now that the United States has approached your Government again, that you will meet them half way.

Yours very truly,

(Sgd.) FRANK H. KEEFER.

OTTAWA, January 9, 1924.

Dear Mr. KEEFER,—I have been asked to acknowledge your letter of December 20th, addressed to the Prime Minister, regarding the "St. Lawrence to the Sea" navigation and power project.

I am looking forward to an opportunity of discussing this matter with you.

Yours faithfully,

(Sgd.) CHAS. STEWART.

FRANK H. KEEFER, Esq., K.C., M.P.P.,

Parliamentary Secretary,

Department of Lands and Forests,

Toronto, Ont.

DOMINION MARINE ASSOCIATION

The Rt. Hon. W. L. MACKENZIE KING, C.M.G., etc.,

Prime Minister of Canada,

Ottawa, Ontario.

SIR,—I beg to submit herewith a copy of a resolution adopted by the Dominion Marine Association in Annual General Meeting at Ottawa on the 17th instant, referring to the proposal of the Government of the Province of Ontario for the development of power near Morrisburg in the St. Lawrence River. I am directed to commend this resolution to your serious consideration.

I have the honour to be, sir,

Your obedient servant,

(Sgd.) FRANCIS KING.

RESOLUTION ADOPTED BY THE DOMINION MARINE ASSOCIATION IN ANNUAL GENERAL MEETING AT OTTAWA ON JANUARY 17, 1924

Resolved:

That the Dominion Marine Association disapproves of the proposal made through the Hydro-Electric Commission of the Province of Ontario for the immediate development of power in the vicinity of Morrisburg on the St. Lawrence River in so far as the proposal in any way (a) contemplates any reversal of the order of priority between navigation and power fixed by the Treaty of 1909 as the order to be observed in the use of boundary waters; (b) permits in the slightest any surrender by the Dominion of the complete control of the river necessary for the purpose of improving and protecting navigation, or subjects the existing control to the dominance of any parties primarily interested in the development of power; (c) or includes a power

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development scheme which does not form a proper part of a well considered and fully approved plan for the development of the whole river as a unit, primarily to improve navigation and incidentally to develop power.

That the Association will be pleased to see the demand for more electrical power in Ontario satisfied as soon as possible, so long as navigation interests remain in every way paramount and under the exclusive and unfettered control of federal authorities, and so long as any work undertaken forms a proper part of the general plan for development of the whole river above mentioned.

And that copies of this resolution be forwarded to the Rt. Hon. the Prime Minister, and to the Hon. the Ministers of Railways and Canals, Marine and Fisheries and Public Works.

KINGSTON BOARD OF TRADE

KINGSTON, CANADA, January 22, 1924.

Honourable CHAS. STEWART,
Minister of the Interior,
Ottawa, Ontario.

Dear Mr. STEWART,—I enclose herewith copy of resolution passed at the Annual Meeting of the Dominion Marine Association which explains itself.

The general impression among marine men is that as far as the development at Morrisburg is concerned it conflicts very seriously with the scheme laid down by the engineers of your Government and the engineers of the International Joint Commission, and while it may temporarily act as a supply of power that when the development is continued at Long Sault the proposed dam and power development will either have to be flooded out and made useless for power purposes or else if continued, navigation will be seriously interfered with between Morrisburg and Cornwall and the power development above Cornwall will be useless in the winter time.

There is ample power available on the Ottawa River to take care of the demand in Eastern Ontario until the St. Lawrence scheme can be carried on as a completed whole. Some years ago the Hydro-Electric Commission expropriated the water power at Chats Falls which they now own and which they have never attempted to develop and which is capable of supplying Eastern Ontario for the next ten years. As far as Toronto is concerned their proper source of power is Niagara Falls and I have no doubt that when the demand for power becomes insistent the Federal Governments will grant the power companies the right to use more water.

I am satisfied that the engineers of the Hydro-Electric Commission know that they are absolutely wrong and they do not expect that the scheme will ever be put through.

Yours very truly,

(Sgd.) J. M. CAMPBELL.

RESOLUTION ADOPTED BY

THE DOMINION MARINE ASSOCIATION IN ANNUAL GENERAL
MEETING AT OTTAWA ON JANUARY 17, 1924.

Resolved:

That the Dominion Marine Association disapproves of the proposal made through the Hydro-Electric Commission of the Province of Ontario for the immediate development of power in the vicinity of Morrisburg on the St. Lawrence River in so far as the proposal in any way (a) contemplates any

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reversal of the order of priority between navigation and power fixed by the Treaty of 1909 as the order to be observed in the use of boundary waters; (b) permits in the slightest any surrender by the Dominion of the complete control of the river necessary for the purpose of improving and protecting navigation, or subjects the existing control to the dominance of any parties primarily interested in the development of power; (c) or includes a power development scheme which does not form a proper part of a well considered and fully approved plan for the development of the whole river as a unit, primarily to improve navigation and incidentally to develop power.

That the Association will be pleased to see the demand for more electrical power in Ontario satisfied as soon as possible, so long as navigation interests remain in every way paramount and under the exclusive and unfettered control of federal authorities, and so long as any work undertaken forms a proper part of the general plan for development of the whole river above mentioned.

And that copies of this resolution be forwarded to the Rt. Hon. the Prime Minister, and to the Hon. the Ministers of Railways and Canals, Marine and Fisheries, and Public Works.

OTTAWA, ONTARIO,

February 18, 1924.

DEAR MR. CAMPBELL,—I beg to acknowledge the receipt of your letter of the 22nd ultimo, enclosing a copy of a resolution passed at the Annual Meeting of the Dominion Marine Association relative to the proposed scheme of development of the St. Lawrence River at Morrisburg.

Since the date of the above resolution, there has been made public the contents of a despatch from the Government of Canada to the Government of the United States wherein the question is raised of appointing an enlarged board to make a detailed study of the engineering and economic phases of the St. Lawrence River Scheme.

In any action which may be taken you may rest assured that navigation interests will be fully protected.

Yours Faithfully,

(Sgd.) CHAS. STEWART.

J. M. CAMPBELL, Esq.,

c/o the Kingston Board of Trade,
Kingston, Ontario.

TOWN OF CORNWALL

January 26, 1924.

The Honourable W. L. MACKENZIE KING,
Ottawa, Ontario.

HONOURABLE SIR,—I take the liberty of writing you to express my personal views upon the much talked of St. Lawrence development.

I am opposed to any development whatsoever that does not include the question of navigation as well as power. I was one of a delegation that waited upon you in either January or February 1923 to ask your government to again open up negotiations with the United States government under the plan recommended by the Joint International Waterways Commission.

This plan as you are aware, Sir, is for a dam at the Longue Sault and an International Power House at the foot of Barnhart's Island and is capable of

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developing four times the amount of H.P. as compared with Morrisburg at the same time the question of navigation is also part and partial of development.

At Morrisburg I believe a head of 42 feet is available whereas at the Longue Sault upwards of 70 feet can be developed.

I feel that I am voicing the sentiments of most of the citizens of Cornwall when I say they are opposed to the plan as suggested at Morrisburg.

I was not one of the recent delegation that waited upon you last week from Ontario or did I receive an invitation to attend.

My attendance in January, 1923, before you expressed my views on this most important question.

As one of a family who have been fighting for Liberalism in this County for upwards of fifty years I beg to express to you my personal view that Sir Adam Beck's Morrisburg Hydro Development is in part political and with the idea of endeavouring to embarrass the Liberal Government of which you have the honour to be Leader.

I am, yours sincerely,

(Sgd.) HARRY W. SNETSINGER,

Mayor

ST. LAWRENCE DEEP WATERWAYS ASSOCIATION OF WESTERN CANADA

SWIFT CURRENT, SASK., January 29, 1924.

Hon W. L. MACKENZIE KING,
Premier, Dominion of Canada,
Ottawa, Ontario.

HON. AND DEAR SIR.—Acting under instructions from the President and Directors of the St. Lawrence Deep Waterways Association of Western Canada, I am enclosing a copy of a resolution unanimously passed at an executive meet- of the above association held on Friday, January 25, 1924, with the earnest prayer that you and your Cabinet give the text matter of this resolution your very earnest consideration.

After careful and exhaustive investigation, it is the firm conviction of this association that nothing is more vital to the economic destiny of Western Canada than our farmers be given the advantages in transportation that unquestionably will ensue with the deepening of the Canals of the St. Lawrence so as to bring tidewater to the Head of the Lakes, and the Liverpool market 1,500 miles financially closer to the heart of the prairies.

I have the honour to be,

Sir,

Yours very truly,

A. S. BENNETT,

Executive Director.

RESOLUTION FROM THE ST. LAWRENCE DEEP WATERWAY ASSOCIATION OF WESTERN CANADA

Whereas it has come to the attention of the executive council of the St. Lawrence Deep Waterway Association of Western Canada that strong pressure is being brought to bear upon the Dominion Government, by the Province of Ontario and the Ontario Hydro-Electric Commission, for the development of power in the international section of the St. Lawrence river without provision for simultaneously proceeding with navigation development in these waters,

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heretofore so urgently advocated in many quarters of Eastern Canada and now being vigorously advocated in Western Canada with a strong and rapidly growing conviction in favour of the project:

And whereas the deepening of the canals of the St. Lawrence sufficient to permit passage of large lake freighters through to Montreal, and give ocean tramp steamers of 8,000 tons capacity an unimpeded seaway to the head of the Lakes, and according to statistics from exhaustive investigations made by this Association, reduce by at least 7 or 8 cents a bushel the freight costs to the farmers of Western Canada for delivering their wheat at seaboard;

And whereas the deepened canals will readily facilitate the handling of much larger quantities of grain at the lake head during the rush period in the Fall, thus enabling more favourable competition with other countries where crops mature later;

And whereas the deepened canals of the St. Lawrence will enable Western Canada to benefit largely in the more direct and cheaper shipment of other exportable products, such as cattle, dairy products, fruits, potatoes, etc.;

And whereas these transportation savings on exportable products, as well as the not inconsiderable reduction of rates on incoming commodities from Eastern Canada and overseas countries, and bring a direct benefit to the farmers of the prairie provinces of \$50,000,000 per annum, at a low estimate;

And whereas the benefits that will accrue to the agricultural industry of Western Canada through a deepened St. Lawrence will encourage settlers now in the country to remain on their farms and proceed with more intensive development of their lands, also attract and retain new agricultural immigrants and tend to a speedy reduction of the taxation load and deficits on the national railways, thus, in our opinion, making the improved St. Lawrence Waterway the crucial economic question of a domestic nature before the Dominion of Canada to-day;

And whereas the economic problems of Western Canada are of vital concern to the whole of the Dominion, and the solution thereof is of national and not sectional importance;

Therefore be it resolved, that the St. Lawrence Deep Waterways Association of Western Canada vigorously protest against any action upon the part of the Government of the Dominion of Canada that will acquiesce in, or assist to finance, any proposals for the development of power in the international section of the St. Lawrence river unless the most adequate development for improved navigation, as set forth in the preamble hereof, be proceeded with at one and the same time;

And it is Further resolved, that this association urge upon the Dominion Government conferring with the Government of the United States at the earliest possible date with a view to immediately proceeding with the work of deepening the canals of the St. Lawrence in the section referred to for increased navigation and power development, in the interests of the Dominion at large;

And that copies of this resolution be forwarded to the Hon. W. L. Mackenzie King, Premier, and members of his Cabinet at Ottawa, also members of the Senate and members of the Dominion Parliament at large, as well as to such other persons of official or private capacity as may be deemed advisable in the judgment of this executive.

Dated at Swift Current, Sask., this 25th day of January, 1924.

(Sgd.) W. W. COOPER.

President.

A. S. BENNETT.

Executive Director and Secretary.

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RURAL MUNICIPALITY OF SASKATCHEWAN LANDING, No. 167.

STEWART VALLEY, February 11, 1924.

Hon. W. L. MACKENZIE KING,
Premier, Dominion of Canada,
Ottawa, Ontario.

HON AND DEAR SIR,—I take great pleasure in enclosing for your consideration and action copy of a resolution which was unanimously adopted at a regular meeting of the council board of the above rural municipality, held at Leinman, Saskatchewan, on the 4th day of February, 1924.

Yours very truly,

(Sgd.) P. S. CAMPBELL,
Secretary-Treasurer, Atlas P.O.

MUNICIPALITY OF SASKATCHEWAN LANDING, No. 167

STEWART VALLEY, SASKATCHEWAN, February 11, 1924.

Minister of Interior,
House of Commons,
Ottawa, Canada.

HON. AND DEAR SIR,—I take great pleasure in enclosing for your consideration and action copy of a resolution which was unanimously adopted at the regular meeting of the council board of the above rural municipality, held at Leinan, Saskatchewan, on the 4th day of February, 1924.

Yours very truly,

(Sgd.) P. S. CAMPBELL,
Secretary-Treasurer, Atlas P.O.

RESOLUTION FROM THE RURAL MUNICIPALITY OF SASKATCHEWAN LANDING No 167

Moved by John T. Stewart, seconded by George G. Smith:

Whereas the Council of the Rural Municipality of Saskatchewan Landing No. 167 is cognizant of the fact that excessive transportation costs are one of the factors contributing most seriously to the economic problems which affect the farmers of Western Canada;

And whereas excessive charges which prevail in connection with the lake and rail haul of grain and other exportable products from Port Arthur to the seaboard constitute a very heavy setback on the net price received by the farmer for these products;

And whereas the proposed deepening of the St. Lawrence canals for power and navigation purposes will reduce these lake and rail rates from approximately 13 cents per bushel on wheat to 4 or 5 cents a bushel from Port Arthur to Montreal, thus making a saving of 8 or 9 cents a bushel on freight charges;

And whereas the development of these deepened canals is proposed in a section of the St. Lawrence river that is owned equally between Canada and the United States, with costs to be shared according to the benefits to be derived by each country.

And whereas the development of power in this international section will produce a revenue that will take care of the amortized bonds for the whole undertaking, making the project self-financing and self-supporting, without the necessity of added taxation upon the people.

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And whereas it is authoritatively stated that the United States is now seeking a conference with the Government of Canada for the purpose of entering into a definite treaty for the immediate prosecution of this work;

Therefore be it hereby resolved that this Rural Municipality of Saskatchewan Landing No. 167 request that the Government of Canada acquiesce in the request for a conference with the Government of the United States for the purpose of going ahead at the earliest possible moment with the deepening of the St. Lawrence Canals in the international section between Lake Ontario and Montreal, to a depth of 25 feet instead of the present depth of 14 feet, in order that the large lake freighters may have free access from the head of the lakes to Montreal, and that ocean tramp steamers may be permitted an open seaway through to the head of the lakes, thus carrying our grain and other exportable products at a minimum lake freight charge from the ports of Port Arthur and Fort William to the markets of the world;

And further, that this Council protest most vigorously against any action on the part of the Dominion Government whereby the requests of certain interests in Ontario for the development of the power end of the project being gone ahead with immediately, and that the navigation improvements be done later by the Dominion Government at the entire expense of the Government; but rather that the navigation and power improvement be undertaken simultaneously and at the earliest possible date;

And that copies of this resolution be sent to Premier King at Ottawa, and all the Dominion Cabinet Ministers, to our constituency member of the Dominion House, and to the Premiers of the provinces of Manitoba, Saskatchewan, Alberta, Ontario and Quebec.

Dated at Leinan, Sask., this 4th day of February, 1924.

Resolution unanimously adopted.

(Signed) P. S. CAMPBELL,
Secretary-Treasurer,
R. M. Saskatchewan Landing No. 167.

OTTAWA, ONTARIO,
February 18, 1924.

Dear Mr. CAMPBELL,—I beg to acknowledge the receipt of your letter of the 11th instant, enclosing copy of a resolution unanimously adopted at the regular meeting of your Council Board held at Leinan, Sask., on the 4th February, 1924, requesting the Government to confer with the Government of the United States for the purpose of going ahead at the earliest possible moment with the deepening of the St. Lawrence canals in the international section between Lake Ontario and Montreal.

Yours faithfully,
(Sgd.) CHAS. STEWART.

P. S. CAMPBELL, Esq.,
Secretary-Treasurer,
Rural Municipality of Saskatchewan, Landing No. 167,
Atlas P.O., Saskatchewan.

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THE ONTARIO ASSOCIATED BOARDS OF TRADE AND
CHAMBERS OF COMMERCE

TORONTO, February 12, 1924.

The Rt. Honourable W. L. MACKENZIE KING,
Prime Minister of Canada,
Ottawa, Ont.

DEAR SIR,—I am instructed to enclose a copy of a Resolution adopted at the recent Annual Meeting of The Ontario Associated Boards of Trade and Chambers of Commerce on the subject of the Conservation of the Great Lakes.

I am also forwarding copy of the Resolution to the Honourable Minister of Marine and Fisheries.

Yours very truly,
(Sgd.) T. MARSHALL.

THE ONTARIO ASSOCIATED BOARDS OF TRADE AND CHAMBERS OF COMMERCE

Conservation of Great Lakes

Whereas the lowering of the Great Lakes levels may threaten transportation by water, and the costs of deepening harbours and connecting rivers thereby be steadily increased, and whereas the maintenance of the Great Lakes Levels is vital to such water transportation, generation of hydro-electric power, development of the Great Lakes-St. Lawrence River waterway to tide-water, extension of the fishing industry and the profit and pleasure of our citizens generally; therefore be it resolved that the Dominion and Provincial Governments be urged to take immediate action:

First, to determine the actual cause of any lowering of Great Lakes Levels; and second, (a) To devise ways and means to prevent any further lowering, and (b) To restore the Lakes to their former levels.

Adopted at the Annual Meeting of the Ontario Associated Boards of Trade and Chambers of Commerce held at Hamilton, Ontario, November 15-16, 1923.

(Sgd.) T. MARSHALL,
Secretary-Treasurer.

THE ONTARIO ASSOCIATED BOARDS OF TRADE AND CHAMBERS OF
COMMERCE

TORONTO, February 12, 1924.

The Rt. Honourable W. L. MACKENZIE KING,
Prime Minister of Canada,
Ottawa, Ont.

Dear Sir,—I am instructed to enclose a copy of a Resolution adopted at the recent Annual Meeting of the Ontario Associated Boards of Trade and Chambers of Commerce and re-confirmed by the Executive Council at meeting of February 8, 1924, on the subject of the Development of the St. Lawrence River.

The Executive Committee respectfully commends the Government's recent action in this connection, as reported in the press, and would urge that further steps be taken, as conditions warrant, as will result in the early consummation of this important international project.

I am also forwarding copy of this Resolution to the Honourable Minister of Marine and Fisheries.

Yours very truly,
(Sgd.) T. MARSHALL,
Secretary Treasurer.

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"Whereas in the opinion of the Ontario Associated Boards of Trade and Chambers of Commerce transportation facilities are of the first importance to the people of this Province, and in order that the fullest development of our resources be encouraged, it is desirable that our products should reach the markets of the world at the least expense and with the utmost despatch;

And Whereas this Association is further of the opinion that deepening the water channel from Lake Ontario to Montreal should be such as will accommodate ocean going vessels that will secure the cheap and rapid conveyance of goods to the world's markets;

Therefore be it Resolved that the Ontario Associated Boards of Trade and Chambers of Commerce strongly recommend the deepening of the St. Lawrence to a depth of thirty feet, and that the project should be undertaken at the earliest date practicable, and pushed forward to completion with the greatest possible expedition;

And be it further Resolved that to obtain the desired development referred to, the Hydro Electric Power available through the improvement of the waterway be utilized to the fullest extent."

Adopted at Annual Meeting, Ontario Boards of Trade and Chambers of Commerce, Sept. 21-22, 1922, and re-affirmed at meeting, Executive Council, Ontario Boards of Trade and Chambers of Commerce, February 8th, 1924.

(Sgd.) T. MARSHALL,
Secretary-Treasurer.

COUNCIL CHAMBER, February 18, 1924.

Moved by Ald. W. V. Oglesby, seconded by Ald. McKenzie:

Whereas the proposed deepening of the St. Lawrence waterway between Lake Ontario and Montreal, for navigation and power purposes, if consummated, will reduce the cost of haulage and therefore constitute a desirable, permanent improvement.

And Whereas it is claimed that the development of power in this international section will produce a revenue that will take care of the amortized bonds for the whole undertaking, making the project self-financing and self-supporting, without the necessity of added taxation upon the people.

Therefore the Council of the City of Brandon, in Council assembled, hereby memorializes the Government of the Dominion of Canada to assent to a conference with the Government of the United States of America, for the consideration of the proposed project, with a view to thoroughly investigating the merits and demerits thereof, and the early consummation as an international project should it, after such investigation, promise to be a desirable venture.

Carried.

H. CATER.

OTTAWA, ONTARIO, March 7, 1924.

Dear Mr. BENNETT,—I beg to acknowledge the receipt of your letter, addressed to the Minister of Agriculture, in which you stress the importance to the Prairie Provinces of the early completion of the St. Lawrence deep waterway project, and wish to thank you for the trouble which you have taken in placing your views so adequately before the Administration.

Permit me to assure you that the subject is receiving attentive consideration.

Yours faithfully,

(Sgd.) CHAS. STEWART.

A. S. BENNETT, Esq.,
Swift Current,
Saskatchewan.

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THE SWIFT CURRENT BOARD OF TRADE

SWIFT CURRENT, SASKATCHEWAN, CANADA.

February 20, 1924.

Minister of the Interior,
House of Commons,
Ottawa, Canada.

Hon. and Dear Sir,—Upon instructions of the Swift Current Board of Trade Executive Council, I enclose herewith for your information and consideration copy of a resolution respecting the Deep Waterways, which was unanimously passed at a general meeting of the Board of Trade on February 12th, 1924.

Yours truly,

CHAS. THORESON,
Secretary-Treasurer.

THE SWIFT CURRENT BOARD OF TRADE

SWIFT CURRENT, SASKATCHEWAN, CANADA

Resolution Unanimously Adopted by Swift Current Board of Trade, Tuesday evening, February 12, 1924.

Moved by R. T. Graham, seconded by A. E. Longmore:

Whereas excessive charges which prevail in connection with the lake and rail haul of grain and other exportable products of the prairie provinces from Port Arthur to seaboard constitutes a very heavy financial setback on the net price received by the farmer for these products;

And whereas the proposed deepening of the St. Lawrence canals for power and navigation purposes will reduce these lake and rail rates from approximately 13 cents per bushel on wheat to 4 or 5 cents a bushel, Port Arthur to Montreal, thus making a saving of 8 or 9 cents a bushel on wheat carried to Montreal by the large lake freighters; and a further reduction of from 1 to 3 cents where tramp steamers can carry our grain direct from the head of the lakes to Liverpool without any transfer whatsoever;

And whereas the development of these deepened canals is proposed in a section of the St. Lawrence river that is international waters, owned equally between Canada and the United States with costs to be shared according to the benefits to be derived by each country;

And whereas the development of power in this international section will produce a revenue that will pay for the whole cost of the undertaking, thus making the project self-financing and self-supporting, without imposing a cent of added taxation upon either country, and without increasing the burden of Canada's national debt;

And whereas the deepened St. Lawrence, besides providing unquestionable great savings on transportation rates for exportable products and incoming commodities, will also be a great stimulus to the more intensive development of the agricultural West, and provide an outstanding incentive for attracting new immigration;

Therefore be it resolved that the Swift Current Board of Trade does hereby approved and endorse the action of the Dominion Government in conferring with the Government of the United States in an effort to obtain further technical details concerning the St. Lawrence project. And that we hereby respectfully request that the Dominion Government will proceed with all the haste possible

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to consummate present investigations in order that a satisfactory treaty between the two countries may be arrived at, and work upon the project actually begun at the earliest possible moment with a view to its speedy completion in the economic interest of the Dominion of Canada at large.

And that copies of this resolution be sent to Hon. W. L. Mackenzie King, Prime Minister, the various Cabinet Ministers at Ottawa, to our constituency member of the Dominion House; also that copies be sent to the various Boards of Trade of Saskatchewan, Manitoba and Alberta, and to the associated Boards of Saskatchewan, asking their endorsement of this resolution.

(Signed) W. W. COOPER, *President*,
CHAS. THORESON, *Secretary*.

SWIFT CURRENT, SASK., February 12, 1924.

OTTAWA, ONTARIO, February 26, 1924.

Dear Mr. THORESON,—I beg to acknowledge the receipt of your letter of the 20th instant, enclosing copy of a resolution respecting the Deep Waterways, which was unanimously passed at a general meeting of the Swift Current Board of Trade on the 12th instant.

This will have our attentive consideration.

Yours faithfully,

(Sgd.) CHAS. STEWART.

CHAS. THORESON, Esq.,
Secretary-Treasurer,
Swift Current Board of Trade,
Swift Current, Saskatchewan.

CANADIAN PACIFIC RAILWAY COMPANY'S TELEGRAM

MONTREAL, February 21, 1924.

Honourable W. L. MACKENZIE KING,
Prime Minister of Canada, Ottawa.

We understand that Government proposes to appoint Commission to study St. Lawrence problems and export of power. Stop. We urge that before Government makes any commitment that our great interests have opportunity to interview your ministers and explain position of Province of Quebec. Stop. Unless you deal with the entire complicated problem any commitment now may adversely affect the great navigation industrial and power interests of this Province.

H. S. HOLT.

CANADIAN NATIONAL TELEGRAPHS

OTTAWA, February 21, 1924.

Sir HERBERT HOLT,
Royal Bank of Canada,
Montreal.

Replying your telegram received to-day, the Government has made no commitment respecting the St. Lawrence waterway beyond expressing willingness to have problem studied in all its aspects. Stop. I shall be only too pleased to arrange for representations to be made to such body as may be constituted for the purpose by any interests so desiring. Stop. I would suggest that any request for such an opportunity should be made either through Minister of Interior or Minister of Railways and Canals.

W. L. MACKENZIE KING.

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CANADIAN DEEP WATERWAYS AND POWER ASSOCIATION

400 CROWN OFFICE BLDG.,

TORONTO, ONTARIO, February 21, 1924.

Rt. Hon. W. L. MACKENZIE KING,
Prime Minister of Canada,
Ottawa, Ont.

Dear SIR,—At the Annual Meeting of the Canadian Deep Waterways and Power Association held in the City Hall, Toronto, on Monday last the 18th inst. a Resolution was passed dealing with the proposed deepening of the St. Lawrence Canals and the development of power in the International section of the river and I was instructed to forward copy of Resolution to you and urge that it receive your serious consideration.

Copy of the Resolution is enclosed herewith and expresses the view of delegates from Ontario municipalities from Prescott in the East to Fort William and Port Arthur in the West.

Yours respectfully,

(Sgd.) ALEX. C. LEWIS,
Secretary-Treasurer.

RESOLUTION

Moved by Alderman W. A. Sommerville, Toronto; seconded by, Controller John Tope, Hamilton:

Whereas the development of the power now wasting on the St. Lawrence River and the construction of a new lock system in that river of the same capacity as the new lock system being constructed in the new Welland Ship Canal are matters of paramount importance to the people of Canada,

And whereas the Government of Ontario is pressing urgently for the authority to develop the power in the International Section of the river and such development without further delay is an urgent need of Ontario,

And whereas the two developments of power and navigation should be carried out co-incidentally,

Now therefore be it resolved that the Canadian Deep Waterways and Power Association strongly urge on the Government of Canada the urgent desirability of immediately proceeding jointly with the United States Government, with a proper scheme of joint development in order to meet transportation needs and also to provide for adequate power facilities.

OFFICE OF
THE CANADIAN GOVERNMENT TRADE COMMISSIONER
IN THE UNITED STATES

March 4, 1924.

St. Lawrence Waterway Project

SIR,—I am requested to transmit to you the enclosed copy of a Memorial adopted by the Philadelphia Board of Trade and transmitted to the Congress of the United States.

Your obedient servant,

(Sgd.) FREDERIC HUDD,
Canadian Government Trade Commissioner.

The Right Hon. W. L. MACKENZIE KING, P.C., M.P.,
Prime Minister,
Ottawa,
Canada.

Acknowledged by the Prime Minister's Private Secretary and referred to the Minister of the Interior.

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PHILADELPHIA BOARD OF TRADE
BOURSE BUILDING

To the Honourable the Senate and House of Representatives in Congress Assembled:

This Memorial of the Philadelphia Board of Trade respectfully represents:

That the Board, believing the plan of opening up the Lake Ports for ocean-going vessels will prove impractical and such ocean transportation uneconomical feels justified in opposing the enactment as law of H. R. Bill 5635 providing for a deep waterway from the Great Lakes to the Atlantic Ocean;

That the effect of the Bill will definitely commit the United States to the projected improvement of the St. Lawrence, recommended by the International Joint Commission in its report made in 1921;

That a well formed doubt exists as to the wisdom of a great national investment having for its purpose the promotion of direct trade between the Lake Ports and foreign countries and great doubt is entertained whether the volume of such a trade-movement would be sufficient to warrant the proposed outlay;

That until the many projects already authorized for the improvement of the rivers and harbours of the Country are provided for by ample appropriations, no endorsement of one such as that of the St. Lawrence with its enormous costs should be endorsed; therefore

Your Memorialist, the Philadelphia Board of Trade, earnestly protests against the enactment as law of H. R. Bill 5635, to provide for a deep waterway for ocean-going vessels from the Great Lakes to the Atlantic Ocean by way of the St. Lawrence River and the Welland Canal;

And your Memorialist will ever pray.

THE PHILADELPHIA BOARD OF TRADE.

(Sgd.) WM. M. COATES, *President.*

(Seal)

Attest:

(Sgd.) W. R. TUCKER,
Secretary.

THE MONTREAL BOARD OF TRADE

MONTREAL, March 4, 1924.

Right Honourable MACKENZIE KING,
Prime Minister,
Ottawa.

SIR,—I have the honour by direction of the Council of this Board to inform you that it is unanimous in reaffirming the report of the Council for 1922 (see printed copy appended) with regard to the St. Lawrence Waterway Project, the leading points thereof being as follows:—

That the whole question of cost should be very carefully considered, as at the present time Canada is not in a position to take on a further financial obligation of such tremendous magnitude,—

That it is most unlikely that joint control by Canada and the United States of the extensive system of canals and waterways proposed in this scheme would be possible without leading to many complications between the two countries;—

That while the question of increased electric power to be afforded by the proposed development is a most important one, it would appear

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that this power would be for the most part available in that section of Canada where power is already in excess of the requirements, and that when additional power is needed it could be obtained at a very much lower cost than by said proposed development,—

That, in conclusion, the Council of the Montreal Board of Trade reaffirms its opposition to any serious consideration being given by the Canadian Government to the proposed scheme for deepening the St. Lawrence Waterway and the power development therefrom, until the financial position of Canada has so far improved as to warrant contemplation of such a costly undertaking.

I am to add that the foregoing report was unanimously approved by the general membership of this Board at the annual meeting in January, 1923, also that the Council prays your Government to favourably consider the conclusions of the above report.

I have the honour to be, sir, your obedient servant.

(Sgd.) J. STANLEY COOK,
Secretary.

Acknowledged by the Prime Minister's private secretary and referred to the Minister of the Interior.

POSTMASTER GENERAL, CANADA

OTTAWA, March 5, 1924.

Hon. CHARLES STEWART, M.P.,
Minister of the Interior,
Ottawa.

Dear Mr. STEWART:

Re International Waterways

Herewith enclosed, I send you a copy of a letter written by Mr. John S. Pardee, Assistant Executive Director, Great Lakes-St. Lawrence Tidewater Association, on the above subject.

It would seem that, notwithstanding his position, Mr. Pardee holds views on the above subject quite at variance with those advanced by Sir Adam Beck, Mr. Keefer and the other advocates of the rights of Ontario as against the world.

Sincerely yours,

(Sgd.) CHAS. MURPHY.

THE CANADIAN ENGINEER

February 26, 1924.

STATE VS. FEDERAL RIGHTS

SIR,—Question having been raised as to the respective interests of the Government of the United States and of the State of New York in the St. Lawrence River, the best answer is a reference to certain leading decisions of the United States courts.

The Federal Government has exclusive control of navigable waters and the right of navigation is paramount.

There was a bridge case, a railroad bridge over a navigable stream. The government said, "That bridge will have to be moved, it is in the way of navigation." The railway company said, "But we had permission to put it

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there. The specific plans were approved." And the court said, "That makes no difference. If it is in the way of navigation it will have to be moved." The railway company was obliged to get out of the way. Its rights, no matter how well secured, retired before the superior right of navigation.

There is a long line of decisions which support one another and which constitute settled law in that respect. Anything that gets in the way of navigation in a navigable stream must get out of the way whenever the government says so.

As to power rights, they too retire before the superior right of navigation.

There was a case at the Soo. The Government was re-arranging the channel. In doing that, it destroyed a water-power and the property served by that water-power was taken under condemnation. The owners thought they should be compensated for loss of the water-power. The court said, "No, nothing was taken from you. The government simply went ahead with its improvement of navigation and your water-power disappeared." "But," they said, "the land which the government took was extra valuable because it had a water-power attached to it." And the court said, "No, the minute the government drowned out that water-power it was no longer attached to the land."

"You can have what that property was worth as just plain land. The water-power ran away when the government exercised its right of navigation." Thereafter it appeared that the water-power which had been destroyed at one place re-appeared in another, and the government, the court said, had a perfect right to dispose of that power. Having seized the river for the purpose of navigation everything else was included in the seizure. Furthermore the court would not review the act of Congress. Congress said the river was wanted for the purposes of navigation and that settled it. It was a political decision which the court will not review.

Now in this case the State of New York is the unquestioned owner of the riparian rights in the river, but when the Federal Government undertakes to improve the river for navigation the rights of New York retire. They may be recognized by Congress if Congress pleases. All or part of the accruing revenues may be yielded to the State of New York if Congress pleases. The Federal Government, it may be supposed, will retain at least enough of the earnings to reimburse itself for the cost of the dam and as much more as Congress thinks fit, all of it if Congress thinks best. And as much of the water-power, or of the revenue derived from it, may be yielded to the State of New York as may seem good to the Congress at Washington.

Whatever the conflict of interest may be between the State of New York and the Federal Government it is a much less formidable difficulty than many suppose.

Very truly yours,

JOHN S. PARDEE,

Assistant Executive Director.

Great Lakes-St. Lawrence Tidewater Association.

DULUTH, MINN., February 15, 1924.

OTTAWA, March 10, 1924.

DEAR MR. MURPHY,—I wish to thank you for your letter of the 5th instant and for the copy which you enclosed of a letter written by Mr. John S. Pardee, Assistant Executive Director of the Great Lakes-St. Lawrence Tidewater Association, on the subject of International Waterways.

Yours faithfully,

(Sgd.) CHAS. STEWART.

The Honourable CHARLES MURPHY, M.P.,
Postmaster General,
Ottawa.

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CERTIFIED COPY of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 10th March, 1924.

The Committee of the Privy Council have had before them a report, dated 6th March, 1924, from the Secretary of State for External Affairs, submitting that the problems presented by the proposal to develop the St. Lawrence Waterway are of such variety and complication that it would be useful to provide for the co-ordination of the views of the technical officers of the several departments of Government whose work may be affected by the initiation of negotiations leading to the conclusion of a treaty with the United States of America on the subject, or by the carrying out of the work, if it is undertaken.

The Minister accordingly recommends that there be constituted a committee including one representative from each of the following departments, viz., the Departments of Finance, Public Works, Marine and Fisheries, Interior, Railways and Canals, and Trade and Commerce such representatives to be selected by the Ministers of the said Departments respectively, who may each of them appoint an alternate member to act in the absence of his principal nominee, and that Colonel Biggar, Government Counsel, be appointed Chairman of such committee.

The Minister further recommends that the Committee be directed to bring to his attention such technical aspects of the problems presented by the proposal as in its opinion may require consideration either in determining whether or not negotiations looking to the conclusion of a treaty should be entered into, or, in the course of any such negotiations as may be initiated, and also to report especially upon any matter relating to the proposed waterway which may be referred to it by any Minister of the Crown or by the Canadian section of the Joint Engineering Board, the enlargement of which has already been agreed upon. Each member of the Committee shall keep his Minister informed of its proceedings and conclusions.

The Committee concur in the foregoing and submit the same for Your Excellency's approval.

(Sgd.) E. J. LEMAIRE,
Clerk of the Privy Council.

The Honourable
The Minister of the Interior.

MUNICIPAL DISTRICT OF SHEPARD, No. 220.

CALGARY, ALTA., March 11, 1924.

Right Honourable W. MacKENZIE KING,
Premier of Canada,
Ottawa.

DEAR SIR,—The Rural Municipality of Saskatchewan Landing No. 167, have forwarded to our Municipality a resolution moved by Mr. John T. Stewart, and seconded by Mr. George G. Smith, in connection with the deepening of the St. Lawrence canal in the international section between Lake Ontario and Montreal.

Their letter informs us that they have forwarded this resolution to yourself, and they have requested that our Council draft a similar resolution.

The Council of the Municipal District of Shepard, at their meeting on March 6th, thoroughly endorsed the resolution as submitted by the Municipality

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of Saskatchewan, Landing No. 167, and we earnestly pray that this will receive the attention of your Cabinet should this matter come up before Parliament during the coming Season.

Yours respectfully,

(Sgd.)

W. HINDE,

Secretary-Treasurer.

Acknowledged by the Prime Minister's Private Secretary and referred to the Minister of the Interior.

MUNICIPAL DISTRICT OF BOW VALLEY

STRATHMORE, ALTA., March 26, 1924.

Hon. CHARLES STEWART,

Minister of Interior,

Parliament Buildings, Ottawa, Ont.

DEAR SIR.—Enclosed with this please to find resolution passed unanimously by the Council of the Municipal District of Bow Valley, No. 219, at Strathmore, Alberta; who respectfully request that you do all in your power to bring this project into being, as soon as possible.

Yours truly,

(Sgd.)

W. G. WAY,

Secretary-Treasurer.

By order of the Council.

MUNICIPAL DISTRICT OF BOW VALLEY, No. 219,

STRATHMORE, ALTA.

Resolution from the Municipal District of Bow Valley No. 219

Moved by C. S. Baker:—

Whereas the Council of the Municipal District of Bow Valley No. 219 is cognizant of the fact that excessive transportation costs are one of the factors contributing most seriously to the economic problems which affect the farmers of Western Canada;

Whereas excessive charges which prevail in connection with the lake and rail haul of grain and other exportable products from Port Arthur to the sea-board constitute a very heavy setback on the nett price received by the farmer for these products;

Whereas the proposed deepening of the St. Lawrence canals for power and navigation purposes will reduce these lake and rail rates from approximately 13 cents per bushel on wheat to 4 or 5 cents a bushel from Port Arthur to Montreal, thus making a saving of 8 or 9 cents a bushel on freight charges;

Whereas the development of these deepened canals is proposed in a section of the St. Lawrence river that is owned equally between Canada and the United States, with costs to be shared according to the benefits to be derived by each country;

Whereas the development of power in this international section will produce a revenue that will take care of the amortized bonds for the whole undertaking, making the project self-financing and self-supporting without the necessity of added taxation upon the people;

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Whereas it is authoritatively stated that the United States is now seeking a conference with the Government of Canada for the purpose of entering into a definite treaty for the immediate prosecution of this work;

Therefore be it hereby resolved that this Municipal District of Bow Valley No. 219 request that the Government of Canada acquiesce in the request for a conference with the Government of the United States for the purpose of going ahead at the earliest possible moment with the deepening of the St. Lawrence canals in the international section between Lake Ontario and Montreal to depth of 25 feet instead of the present depth of 14 feet, in order that the large lake freighters may have free access from the head of the lakes to Montreal, and that ocean tramp steamers may be permitted an open seaway through to the head of the lakes, thus carrying our grain and other exportable products at a minimum lake freight charge from the ports of Port Arthur and Fort William to the markets of the world;

And further, that this Council protest most vigorously against any action on the part of the Dominion Government whereby the request of certain interests in Ontario for the development of the power end of the project being gone ahead with immediately, and that the navigation improvement be done later by the Dominion Government at the entire expense of the Government; but rather that the navigation and power improvement be undertaken simultaneously and at the earliest possible date.

Dated at Strathmore, Alta., this 6th day of March, 1924.

Resolution unanimously adopted.

(Sgd.) W. G. WAY,
Secretary-Treasurer.

OTTAWA, April 2, 1924.

MY DEAR SIR,—I am in receipt of your letter of the 26th ultimo, enclosing a resolution passed by the Council of the Municipal District of Bow Valley, No. 219, relative to the St. Lawrence Deep Waterways project, and may say in reply that this matter will receive attentive consideration.

Yours faithfully,

(Sgd.) CHAS. STEWART.

W. G. WAY, Esq.,
Secretary-Treasurer,
Municipal District of Bow Valley,
Strathmore, Alberta.

Copy of Resolution from Brokenhead (Man.) Board of Trade

Whereas the matter of the St. Lawrence Deep Waterway is at the present time under discussion both in Canada and in the United States.

And whereas the satisfactory completion of the proposed work is of great importance to Canada and especially to Western Canada;

And whereas experience has proven that anything which facilitates production and marketing is beneficial to the whole and every part of the country, so that none need fear that the proposed improvement in navigation of the St. Lawrence River and the Great Lakes will do them damage.

Now therefore be it resolved that we, the Brokenhead Board of Trade, being representative of Northeastern Manitoba, urge the Dominion Government to confer with the Government of the United States without delay and with a view to immediately proceeding with the work of deepening the canals, rivers and lakes of the St. Lawrence and Great Lakes Route and also with a view to Power development in connection with said work.

SESSIONAL PAPER No. 101d

If it be found feasible, we are in favour of making said Waterway of a navigable depth of thirty feet.

Dated at Beausejour in the Province of Manitoba, this 28th day of February, A.D. 1924.

Copy of Resolution Adopted at the Annual Meeting of the Associated Boards of Trade of Saskatchewan at Moose Jaw, Sask., February 27, 1924

ST. LAWRENCE DEEP WATERWAY IMPROVEMENT

Whereas substantial reductions in transportation rates on grain, cattle and other exportable products of Western Canada will reasonably ensue from the completion of the St. Lawrence Deep Waterway improvement, whereby the large lake freighters will have through navigation to Montreal, and ocean tramp steamers an open seaway to the Head of the Great Lakes, thus eliminating costly transfers and rail haul between Buffalo and New York and between Georgian Bay ports and Montreal;

And whereas these reductions, together with lower freight charges on incoming commodities from Eastern ports and overseas will unquestionably promote most effectively the permanent growth and development of Western Canada;

And whereas the deepening of the canals between Lake Ontario and Montreal is proposed in a section of the St. Lawrence river that is international waters, owned equally between Canada and the United States, with costs to be shared according to the benefits derived by each country;

And whereas, according to a memorandum in possession of the Dominion Government, the development of hydro-electric energy in this international section will provide a revenue that will pay the total cost of the undertaking, without imposing a cent of added taxation upon either country, and without increasing the burden of Canada's national debt;

Therefore, be it resolved that this annual meeting of the Saskatchewan Associated Boards of Trade assembled at Moose Jaw, Sask., this 27th day of February, 1924, does hereby approve and endorse the action of the Dominion Government in conferring with the Government of the United States in a proposal to obtain fullest technical and economic details concerning the Deep Waterway project, and that we respectfully request our Government to consummate present negotiations without unnecessary delay.

Moved by R. H. Moore, seconded by H. D. McNaughton:

That the Municipal Council of theof desires to endorse the action of the delegation of January 11, 1924, representing over three hundred and fifty Municipalities in requesting the Honourable the Prime Minister of Canada and his Government to use every effort to enable the Hydro Electric Power Commission to develop electric energy on the St. Lawrence River on behalf of the Municipalities of the Province of Ontario.

And in view of the immediate necessity of making provision for an adequate supply of power to meet the Municipal and industrial requirements of this province we respectfully request that the Government of Canada approve the plans of the Hydro Electric Power Commission of Ontario for the development of the St. Lawrence river and the undertaking of the first stage in such development at Morrisburg and that immediate action be taken so that the commencement of this work may not be delayed.

Passed this 3rd day of March, 1924.

..... Mayor.
..... Clerk.

The attached resolution has been adopted by the following:—

The Public Utilities Commission, city of Chatham.
Municipal Council, town of Deseronto.
Municipal Council, village of Springfield.
Municipal Council, village of Havelock.
Municipal Council, township of Sandwich South.
Municipal Council, town of Waterloo.
Municipal Council, village of Port Stanley.
Municipal Council, town of Weston.
Municipal Council, township of Gainsboro.
Municipal Council, township of Usborne.
Water and Light Commission, town of Goderich.
Public Utilities Commission, town of Elmira.
Municipal Council, township of York.
Municipal Council, city of Hamilton.
Municipal Council, township of Oxford.
Municipal Council, township of Darlington.
Municipal Council, township of Crowland.
Municipal Council, city of London.
Waterloo Light Commission, town of Waterloo.
Public Utilities Commission, town of Exeter.
Municipal Council, town of Prescott.
Municipal Council, town of Tilbury.
Municipal Council, town of Paris.
Municipal Council, city of Guelph.
Municipal Council, police village of Williamsburg.
Municipal Council, town of Smiths Falls.
Municipal Council, town of New Toronto.
Municipal Council, township of Uxbridge.
Municipal Council, township of Scott.
Municipal Council, township of Canboro.
Public Utilities Commission, city of Galt.
Municipal Council, town of Walkerville.
Municipal Council, town of Ford City.
Municipal Council, town of Brockville.
Municipal Council, town of Kincardine.
Municipal Council, township of Egremont.
Municipal Council, town of Durham.
Municipal Council, village of Bayfield.
Municipal Council, village of Milverton.
Municipal Council, village of Newbury.
Municipal Council, village of Vienna.
Municipal Council, town of Vankleek Hill.
Municipal Council, village of Bell River.
Municipal Council, township of Hay.
Municipal Council, town of Picton.
Municipal Council, village of Port Credit.
Municipal Council, town of Hespeler.
Municipal Council, township of Derby.
Municipal Council, township of Zone.
Municipal Council, township of Delaware.
Municipal Council, town of Southampton.
Municipal Council, township of McKillop.
Municipal Council, village of West Lorne.

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Municipal Council, town of Eastview.
Municipal Council, village of Tavistock.
Public Utilities Commission, town of Dundas.
Municipal Council, town of Wallaceburg.
Hydro Electric Commission, city of Brantford.
Municipal Council, city of Kitchener.
Municipal Council, township of Seneca.
Municipal Council, town of Thornbury.
Municipal Council, city of Galt.
Municipal Council, township of Wilmot.
Municipal Council, township of Barton.
Hydro Electric Commission, city of Niagara Falls.
Municipal Council, village of Woodville.
Public Utilities Commission, town of Whitby.
Hydro Electric Commission, city of Hamilton.
Municipal Council, village of Waterdown.
Municipal Council, town of Oshawa.
Municipal Council, town of Lindsay.
Municipal Council, town of Thorold.
Public Utilities Commission, city of Owen Sound
Municipal Council, township of Clarke.
Hydro Electric Commission, town of Niagara.
Municipal Council, town of Dunnville.
Municipal Council, town of Merritton.
Municipal Council, village of Port Dover.
Municipal Council, town of Elmira.
Municipal Council, city of Sarnia.
Municipal Council, township of Etobicoke.
Municipal Council, village of Lucan.
Municipal Council, police village of Mt. Bridges.
Municipal Council, village of Wellington.
Municipal Council, police village of Thamesford.
Municipal Council, city of St. Catharines.
Municipal Council, village of Humberstone.
Municipal Council, township of Grantham.
Municipal Council, town of Morrisburg.
Municipal Council, city of Brantford.
Municipal Council, village of Bolton.
Municipal Council, city of Peterborough.
Municipal Council, town of Leamington.
Municipal Council, town of Wingham.
Municipal Council, town of Dresden.
Municipal Council, town of Mimico.
Municipal Council, township of London.
Municipal Council, village of Tweed.
Municipal Council, village of Lancaster.
Municipal Council, town of Seaforth.
Municipal Council, village of Drayton.
Municipal Council, township of Orillia.
Municipal Council, township of Arthur.
Municipal Council, village of Winchester.
Woodstock Public Utilities Commission, city of Woodstock.
Municipal Council, village of Brighton.
Municipal Council, township of Malahide.

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Municipal Council, village of Portsmouth.
 Public Utilities Commission, city of London.
 Municipal Council, township of Colchester South.
 Municipal Council, town of Preston.
 Toronto Electric Commissioners, city of Toronto.
 Windsor Hydro-Electric System, city of Windsor.
 Municipal Council, town of Brampton.
 Municipal Council, village of Wellington.
 Hydro-Electric System, city of Sarnia.
 Municipal Council, city of Ottawa.
 Peterborough Utilities Commission, City of Peterborough.
 Municipal Council, township of Searboro.
 Municipal Council, township of Oxford.
 City Council, city of Toronto.
 Municipal Council, village of Port Perry.
 Municipal Council, village of Ayr.
 Municipal Council, village of Norwich.
 Municipal Council, township of (name illegible).
 Municipal Council, township of Bosanquet (?).

DEPARTMENT OF PUBLIC WORKS

Order of the House of Commons

Mr. Archambault—Order of the House—For a copy of all memoranda, correspondence, telegrams, and other documents exchanged between the Government of Canada or any of its members and other governments, corporations or individuals since the 1st of January, 1922, relating to the St. Lawrence Waterway Route, and the establishment of dams on the St. Lawrence River for the development of certain water powers.

2756-1C

BRITISH EMBASSY,

WASHINGTON, January 30, 1922.

Dear Mr. WALKER,—As requested in your letter of January 27th, I have pleasure in enclosing herewith six additional copies of joint Resolution 262, providing for the establishment of an International Board to have jurisdiction of the construction, operation, and control of the improvement of the Great Lakes St. Lawrence Waterway.

Yours faithfully,

(sgd.) M. M. MAHONEY.

Acting Under Secretary of State for External Affairs, Ottawa, Canada.
 Referred to: Public Works.

2756-1C.

H. J. Res. 262

IN THE HOUSE OF REPRESENTATIVES

January 20, 1922.

Mr. Chalmers introduced the following joint resolution; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

SESSIONAL PAPER No. 101d

JOINT RESOLUTION

Providing for the establishment of an International Board to have jurisdiction of the construction, operation and control of the improvement of the Great Lakes Saint Lawrence Waterway.

Whereas in the treaties now in force between the United States of America and Great Britain, namely, the Webster-Ashburton Treaty of 1842, the reciprocity treaty of 1854, the treaty of Washington of 1871, and the treaty of Washington of 1909, it is provided that the Saint Lawrence River shall forever remain free and open for the purpose of commerce to the citizens of the United States; and

Whereas the treaty of Washington of January 11, 1909, provides for the organization of an International Joint Commission; and

Whereas the River and Harbor Act approved March 2, 1919, provided that the International Joint Commission should investigate what further improvement of the Saint Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for ocean going vessels, together with the estimated cost thereof, with its recommendation for co-operation by the United States with the Dominion of Canada in the improvement of said river, and

Whereas on January 21, 1920, in what is known as the Reference, the Secretary of State requested the International Joint Commission to investigate what further improvement in the Saint Lawrence River between Montreal and Lake Ontario is necessary to make the same navigable for deep-draft vessels of either the lake or ocean going type and what draft of water is recommended and the estimated cost; and

Whereas on January 1, 1920, the Secretary of State in said Reference asked the Board of Engineers to take charge of the survey of the Saint Lawrence River from Montreal to Lake Ontario for the purpose of preparing plans and estimates for its further improvement to make the same navigable for deep draft vessels of either the lake or ocean going type, and to obtain the greatest beneficial use of these waters; and

Whereas in July, 1921, the Board of Engineers unanimously recommended the improvement of said waterway for navigation and power purposes; and

Whereas the International Joint Commission on January 10, 1922, recommended to the Government of the United States and the Dominion of Canada the completion of the New Welland Canal connecting Lake Erie and Lake Ontario, and the improvement of the Saint Lawrence River from Lake Ontario to the sea for navigation and power purposes; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that an International Board be established, composed of six members, three on the part of the United States, one appointed by the President thereof, one by the President of the Senate, and one by the Speaker of the House of Representatives, and three on the part of Great Britain.

Resolved further, That the International Board shall have jurisdiction of the construction, operation and control of the improvement of the Great Lakes Saint Lawrence waterway from Lake Erie to Lake Ontario and from Lake Ontario to the sea, providing for a channel thirty feet deep, and shall determine the final plans for the construction of the improvement for navigation and power purposes.

Resolved further, That one half of the cost of construction, maintenance, and operation of the navigation and power works shall be borne by the United States of America and one half by the Dominion of Canada.

14 GEORGE V. A. 1924

Resolved further, That one half of the hydro-electric power generated by the construction of this work shall be credited to the United States of America and one half to the Dominion of Canada, and that the International Board shall supervise the control, use, and sale of the power thus made available.

Resolved further, That the expenditure of the sum of \$1,000,000 is hereby authorized to be paid from funds not otherwise appropriated, to be under the control of the American section of the International Board, to be transferred to the control of the International Board when completed by the legal appointment of the Canadian section of said International Board and the appropriation of an equal amount of money by the Dominion of Canada. This joint appropriation is to be used by the International Board for organization purposes and to start the work until additional funds are made available.

Resolved further, That the International Board is hereby authorized to issue bonds, guaranteed by the United States of America and Great Britain, in an amount necessary to pay for the construction of the navigation and power works.

2756-1C

BRITISH EMBASSY,

WASHINGTON, February 13, 1922.

Dear Sir JOSEPH POPE.—I have the honour to enclose herewith four copies of Senate Resolution No. 235, respecting proposed St. Lawrence development, introduced in the Senate on February 10th, by Senator King of Utah.

Yours faithfully,

(Sgd.) M. M. MAHONEY.

Referred to: Public Works.

Sir JOSEPH POPE, K.C.M.G.,

Under Secretary of State for External Affairs,
Ottawa, Canada.

2756-1C

S. Res. 235

IN THE SENATE OF THE UNITED STATES

February 3 (Calendar day, February 10) 1922.

Mr. King submitted the following resolution; which was referred to the Committee on Commerce.

RESOLUTION

Whereas the project for the canalization of the Saint Lawrence River, and the development of hydraulic power in connection therewith, between Lake Ontario and the head of tidewater, in the Saint Lawrence River below the city of Montreal, at the joint expense of the Governments of the United States and the Dominion of Canada, contemplates that the Government of the United States shall contribute one half of the cost of the construction of the necessary channels, dams, locks, and hydraulic works in that portion of the Saint Lawrence River between the northern boundary of the State of New York and the mouth of the Richelieu River, which portion of the Saint Lawrence River passes entirely through Canadian territory, and upon which the United States has no riparian rights, or rights with respect to the water power, and has no contact with the banks or with the proposed navigable channels, canals, dams, locks or hydraulic works, nor which the Government of the United States is expected to appropriate one half of the cost of construction: Now, therefore, be it

SESSIONAL PAPER No. 101d

Resolved, That it is the sense of the Senate that, as a condition precedent to the Government of the United States joining with the Government of the Dominion of Canada in the construction of such works, the Dominion of Canada cede to the United States the territory lying between the Richelieu River, Lake Champlain, and the northern boundary of the State of New York, including the bank and the bed of the Saint Lawrence River to the center of the channel thereof, from the point of intersection with the northern boundary of New York to the mouth of the Richelieu River, in order that the United States may become joint owner with the Dominion of Canada of the course of the Saint Lawrence River to the head of tidewater below the city of Montreal and joint owner with the Dominion of Canada in the proposed canals, channels, dams, locks and hydraulic works and of all rights of navigation and of water power appurtenant thereto.

2756-1C

BRITISH EMBASSY,

WASHINGTON, February 21, 1922.

Dear Sir JOSEPH POPE.—I enclose herewith four copies of House Resolution 287 relating to the St. Lawrence River Development.

Yours faithfully,

(Sgd.) M. M. MAHONEY.

Sir JOSEPH POPE, K.C.M.G.,
Under Secretary of State for External Affairs,
Ottawa, Canada.

Referred to: Public Works.

2756-1C

H. Res. 287.

IN THE HOUSE OF REPRESENTATIVES

February 14, 1922.

Mr. Ten Eyck submitted the following resolution: which was referred to the Committee on Foreign Affairs and ordered to be printed.

RESOLUTION

Whereas the Saint Lawrence River is a natural boundary line and the interests of the Government of the Dominion of Canada and of the Government of the United States are mutual in its utilization:

Therefore be it

Resolved, That the President is requested to take such steps as are consistent and in accordance with international procedure with the Dominion of Canada and Great Britain to purchase all that territory in the Dominion of Canada lying east and south of the line comprising the centre of the channel of the Saint Lawrence River from its mouth to its source and the centre of the Gulf of Saint Lawrence, including the full riparian rights and rights to develop and utilize half of the water power from the Saint Lawrence River.

Resolved further, That the President is requested to use his best endeavours to have payments due the United States on the British debt credited on the purchase price of the territory so acquired.

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DEPARTMENT OF STATE

May 25, 1922.

For the Press:

The Secretary of State, on May 17, 1922, sent to the British Ambassador a note stating that the United States Government would be glad to take up with the Canadian Government the negotiation of a treaty looking to the deepening of the waterways which would enable ocean going ships to reach the Great Lakes.

The note to the British Ambassador referred to the fact that on January 21, 1920, the Governments of the United States and Canada referred to the International Joint Commission for investigation and report, under the terms of Article IX of the Treaty of January 11, 1909, relating to Boundary Waters, questions with respect to the improvement of the St. Lawrence River between Lake Ontario and Montreal, both for navigation and the development of water power. This Commission reported on December 19, 1921.

The Secretary of State said that he was authorized to state that the President favors the negotiation of a treaty on the basis of this report of the International Joint Commission, or such modifications as might be agreed on, and requested to be informed as to whether the appropriate British and Canadian authorities are disposed to undertake the negotiation of a treaty.

The Department understands that this note has been forwarded to the Canadian Government. No answer has as yet been received.
Referred to: Public Works.

2756-1C

OTTAWA, December 4th, 1923.

Dear Mr. HUNTER,—In accordance with your telephone request of yesterday I am forwarding to you, herewith, copy of the despatch No. 413 of the 19th November 1923, from His Majesty's Charge d'Affaires at Washington to His Excellency, on the subject of the St. Lawrence River Improvement Scheme, together with copy of Sir Auckland Geddes' despatch No. 127 of the 18th of May, 1922, referred to therein, and copy of the Minute of Council authorizing the Minister of the Interior to deal with international questions relating to the joint waters of Canada and the United States.

Yours very truly,

(sgd.) W. H. WALKER.

*Assistant Under Secretary of State
for External Affairs.*

J. B. HUNTER, Esquire,

The Deputy Minister of Public Works, Ottawa.
No. 413

2756-1C

BRITISH EMBASSY,

WASHINGTON, November 19, 1923.

MY LORD,—With reference to Your Excellency's despatch No. 82 of May 30th, 1922, I have the honour to transmit to Your Excellency herewith copy of a note from the United States Government enquiring whether the competent authorities of the Dominion Government have yet been able to give considera-

SESSIONAL PAPER No. 101d

tion to the St. Lawrence River improvement scheme and whether they are prepared to enter into negotiations with the United States Government on the lines suggested by Mr. Hughes in his note of May 17th, 1922, copy of which was communicated to Your Excellency by Sir Auckland Geddes in his despatch No. 127 of May 18th of that year.

I have the honour to be, my Lord,

Your Excellency's most obedient, humble servant,

(Sgd.) H. G. CHILTON.

His Excellency,

THE LORD BYNG OF VIMY, G.C.B.,

etc., etc., etc.,

Governor General of Canada,

Ottawa, Canada.

2756—1C

BRITISH EMBASSY,

WASHINGTON, January 30, 1924.

MY LORD,—I have the honour to transmit to Your Excellency, herewith, copies of the paper mentioned in the subjoined schedule, and to enquire what reply should be returned to this communication.

I have the honour to be,

Your Excellency's most obedient, humble servant,

(Sgd.) H. G. CHILTON.

His Excellency,

The Governor General of Canada.

Name and Date.

Subject.

To Department of State, Washington,	The St. Lawrence River Improvement
January 30th, 1924.	scheme.

Reference: Ottawa despatch No. 13 of January 25, 1924.

Referred to: Public Works.

2756—1C

BRITISH EMBASSY,

WASHINGTON, January 30, 1924.

SIR,—I have the honour to refer to the note which you were so good as to address to me on November 17th last, regarding the St. Lawrence River improvement scheme and to inform you, by request of His Excellency the Governor General of Canada, that the Dominion Government have had under consideration the contents of your note addressed to Sir Auckland Geddes on May 17th, 1922. In that note you suggested either the immediate conclusion of a treaty looking to the development of the St. Lawrence waterway along the lines recommended by the International Joint Commission charged with the formulation of a complete plan which would be subject to the approval of the two Governments, or alternatively, the constitution of a Joint Commission of experts to make preliminary studies and investigations and to frame the draft of a treaty.

The Dominion Government point out that the report of the International Joint Commission recommended that, before any work was carried out, the

14 GEORGE V, A. 1924

Joint Engineering Board, whose proposals it generally approved, should be enlarged, and that once so enlarged, the said Board should further consider the technical aspects of the problem in detail and decide upon the plan which should be adopted.

While the Government of Canada desire to give further consideration to the suggestions put forward in your note of May 17th, 1922, they are of opinion that the proposal made by the International Joint Commission should be acted upon without further delay. The Dominion Government are accordingly prepared to appoint additional engineers to enlarge the Joint Engineering Board with a view to the Board undertaking the preparation of a final report covering the engineering features of the whole project, including its cost. The Government of Canada intend, further, to form a committee which will, in consultation with the Canadian members of the Joint Engineering Board, enquire fully from a national standpoint into the wide questions involved, and they hope shortly to be in a position to take further action of the proposals made by the United States Government.

Meanwhile the Government of Canada would be glad to learn the views of the United States Government in regard to the number of additional engineers who should be appointed by each Government to the Joint Engineering Board. The Dominion Government are also ready to nominate one or more technical officers to discuss with similar United States officers the form which the instructions to the enlarged Joint Engineering Board should take, and the time within which the Board should be directed to report.

In expressing the hope of the Government of Canada that the above proposals will be agreeable to the United States Government, I have the honour to inform you that Lord Byng of Vimy would be grateful if arrangements could be made by telegraph for their publication simultaneously in Washington and Ottawa.

I have the honour to be,

With the highest consideration, sir,

Your most obedient, humble servant,

(Sgd.) H. G. CHILTON.

The Honourable CHARLES E. HUGHES,
Secretary of State of the United States,
Washington, D.C.

2756-1C

BRITISH EMBASSY,

WASHINGTON, February 4, 1924.

My Lord,—I have the honour to transmit to Your Excellency, herewith, copies of the paper mentioned in the subjoined schedule, and to inquire what reply should be returned to this communication.

I have the honour to be,

Your Excellency's most obedient, humble servant,

(Sgd.) H. G. CHILTON.

His Excellency,
The Governor General of Canada.

Name and Date

Subject

From Department of State, Washington, D.C., February 2, 1924. Improvement of the St. Lawrence River for navigation and water power.

Reference:

Washington despatch No. 39 of January 30, 1924.

Referred to: Public Works.

SESSIONAL PAPER No. 101d

2756-1C

DEPARTMENT OF STATE

WASHINGTON, February 2, 1924.

SIR,—I have the honour to acknowledge the receipt of your note No. 97, of January 30, 1924, communicating certain proposals made by the Government of Canada concerning joint action by the United States and Canada in regard to the improvement of the St. Lawrence River for navigation and water power.

The proposals made by the Government of Canada will receive the careful consideration of this Government and a further communication in regard to the matter will be made to you in due course.

Accept, Sir, the renewed assurance of my high consideration.

(Sgd.) CHARLES E. HUGHES.

Mr. HENRY GETTY CHILTON,

Charge d'Affaires ad interim of Great Britain.

2756-1C

BRITISH EMBASSY,

WASHINGTON, February 6, 1924.

SIR,—I have the honour to transmit to you, herewith, copies of the paper mentioned below.

I have the honour to be,

Your most obedient servant.

The Under Secretary of State for External Affairs,
Ottawa, Canada.

Name and Date

Subject

2 copies articles from Washington Post, St. Lawrence Deep Waterways.
February 6, 1924.

Referred to: Public Works.

2756-1C

Washington Post, February 6, 1924

CANADA READY TO ACT ON LAKES WATERWAY

WILL APPOINT ST. LAWRENCE RIVER PROJECT ENGINEERS HUGHES ADVISED

The Canadian government, in a note transmitted to the State Department through the British Embassy, has declared its readiness to act without delay on certain proposals made by the International Joint Commission for improvements in the St. Lawrence river between Montreal and Lake Ontario to make possible deep water navigation into the Great Lakes.

The Ottawa government asserts that it desires to give further consideration to some of the suggestions made by Secretary Hughes to Sir Auckland Geddes, British Ambassador, in a note transmitted in May 1922, but is prepared now to appoint additional engineers to enlarge the joint engineering board and undertake the preparation of a final report covering "the engineering features of the whole project, including its cost."

14 GEORGE V, A. 1924

2756-1C

BRITISH EMBASSY

WASHINGTON, February 19, 1924.

SIR,—I have the honour to transmit to you, herewith, copies of the paper mentioned below.

I have the honour to be,

Your most obedient servant,

(Sgd.) M. M. MAHONEY,

The Under Secretary of State, for External Affairs,
Ottawa, Canada.

Name and Date

Subject

2 copies article from Washington Star, St. Lawrence Deep Waterway,
February 18, 1924.

Referred to: Public Works.

2756-1C

RIVERS WATERWAY PLAN

SPEAKER PREDICTS GRAIN WILL REACH BALTIMORE FROM LAKES

Special Despatch to the Star.

Baltimore, February 18. The middle west will ship grain and iron direct to Baltimore by an all-water route when the the great lakes St. Lawrence waterway project is a reality, declared Charles M. Jackson of the Northern New York Development League, speaking to the Foreign Trade Club here Saturday.

He predicted that Canada and the United States will join to build the waterway and asserted that it could be built in ten years at a cost of \$250,000,000. This cost, he said, would build two canals, a channel in the St. Lawrence and a power plant of 1,500,000 horsepower that would pay the bill within fifty years by selling power at two mills per kilowatt hour.

Mr. Jackson said the railroads are in favour of the plan and that President Coolidge and a majority of the cabinet and Congress, as well as a majority in the Canadian government, approve it.

2756-1C

BRITISH EMBASSY,

WASHINGTON, February 28, 1924.

My LORD,—With reference to my despatch No. 39 of January 30th last, I have the honour to transmit to Your Excellency herewith copies of a note from the United States Government containing their views on the proposals made by the Dominion Government in connection with the St. Lawrence River improvement scheme, from which it will be seen that the United States Government are in general agreement with the suggestions put forward in my note No. 97 of the 30th ultimo.

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In expressing the hope that the proposals contained in the enclosed note will be acceptable to the Government of Canada, Mr. Hughes states that he will be pleased if arrangements can be made by telegraph for a simultaneous publication in Ottawa and Washington.

A copy of this despatch is being communicated to His Majesty's Government.

I have the honour to be, my Lord,
Your Excellency's most obedient humble servant,
(For His Majesty's Charge d'Affaires),

(Sgd.) JOHN CECIL.

His Excellency,

THE LORD BYNG OF VIMY, G.C.B.,

etc., etc., etc.,

Ottawa, Canada.

Referred to: Public Works.

2756-1C

DEPARTMENT OF STATE

WASHINGTON, February 27, 1924.

SIR,—In your note of January 30th, 1924, in regard to the project for joint action by the United States and Canada for the improvement of the St. Lawrence River between Montreal and Lake Ontario for navigation and the development of water power, you informed me that while the Government of the Dominion of Canada desires to give further consideration to the suggestions brought forward to my note of May 17, 1922, to Sir Auckland Geddes with a view to carrying out the recommendations made by the International Joint Commission, the Dominion Government is nevertheless prepared to act without delay on the recommendation for the enlargement of the Joint Engineering Board which assisted the Commission in making the investigation of the project and to appoint additional engineers to the Board with a view to having it undertake the preparation of a final report covering the engineering features of the whole project, including its cost.

You informed me also that the Government of Canada intends to form a committee which will in consultation with the Canadian members of the Joint Engineering Board, inquire fully from a national standpoint into the wide questions involved in the project.

In reply permit me to say that this Government is gratified to learn that the Canadian Government hopes shortly to be in a position to take further action on the proposals made in my note of May 17, 1922, and meanwhile is especially pleased to be advised that the Government of Canada intends to create a committee for the purpose described in your note. This Government, similarly, will immediately constitute a national committee which will in consultation with the American members of the Joint Engineering Board make adequate inquiry from a national standpoint into the questions involved to the end that the project for the improvement of the St. Lawrence River for navigation and the development of its water power may be carried forward as speedily as possible.

This Government is glad to give its assent to the suggestion that the Joint Engineering Board should be enlarged and, in response to the request of the Canadian Government for its view as to the number of additional engineers which should be appointed, suggests that two engineers be added to the Board of each Government, the membership of the Board thus being increased to six.

14 GEORGE V, A. 1924

three of whom would be representatives of the United States and three would be representatives of Canada. In connection with this enlargement of the Board it may be noted that the first of the recommendations made by the International Joint Commission was that the Governments of the United States and Canada enter into an arrangement by way of treaty for a scheme of improvement of the St. Lawrence River between Montreal and Lake Ontario. It would appear that the Commission did not contemplate that negotiations for a treaty should be postponed until after a report should be made by an enlarged board of engineers but that negotiations should forthwith be opened, that the proposed works between Montreal and Lake Ontario should "be based upon the report of the Engineering Board" accompanying the report of the Commission, and that the Governments should have the benefit of the advice of an enlarged Board of Engineers before a "final decision" should be reached.

This Government would propose that the instructions to the enlarged Engineering Board should be prepared in joint conference by the two advisory committees which the Governments of Canada and the United States intend to establish as indicated in your note and this reply, and that the two committees should accordingly be empowered to meet in joint conference for the purpose of formulating such instructions. However, the instructions would be given to the Board of Engineers by the Governments and the report of the engineers would be made to the Governments.

As it appears that the report of the Board of Engineers of June 24, 1921, while of a preliminary character, as contemplated in their instructions, nevertheless presented a general plan believed to be practicable in its main features, this Government would desire to have included in the first instructions to the enlarged Board the two fundamental questions whether the scheme for the improvement of the St. Lawrence Waterway which the Board presented in its report of June 24, 1921, is practicable and whether the estimates of costs made by it require revision. The time within which the Board should make its report should, as was suggested by the Canadian Government, be determined in advance and stated in the instructions. It is believed that the fundamental questions can be reported upon within a short time. If the suggestion that the instructions to the Joint Engineering Board be prepared by the two advisory committees in joint conference be acceptable to the Canadian Government the appointment of technical officers especially for this purpose as proposed by the Canadian Government would not be necessary.

This Government further suggests that the two committees be empowered to meet from time to time in joint session in order to prepare supplemental instructions for the Board of Engineers as occasion may require, and to consider and develop the broader aspects of the whole matter so that each committee may be as helpful to the other as possible.

This Government is hopeful that the foregoing proposals will be acceptable to the Government of Canada and I should be pleased if arrangements can be made by telegraph for publishing them simultaneously at Washington and Ottawa.

Accept, Sir, the renewed assurance of my high consideration.

(sgd.) CHARLES E. HUGHES.

711.42157.

SESSIONAL PAPER No. 101d

MORRISBURG

10741-1

KINGSTON, ONT., January 21, 1924.

Hon. Dr. JAMES H. KING,
Minister of Public Works,
Ottawa, Ontario.

SIR.—I beg to submit herewith copy of a resolution adopted by the Dominion Marine Association in Annual General Meeting at Ottawa on the 17th instant, referring to the proposal of the Government of the Province of Ontario for the development of power near Morrisburg in the St. Lawrence River. I am directed to commend this resolution to your serious consideration.

I have the honour to be, sir,
Your obedient servant,

(Sgd.) FRANCIS KING,

RESOLUTION ADOPTED BY THE DOMINION MARINE ASSOCIATION IN ANNUAL
GENERAL MEETING AT OTTAWA ON JANUARY 17, 1924

Resolved:

That the Dominion Marine Association disapproves of the proposal made through the Hydro Electric Commission of the Province of Ontario for the immediate development of power in the vicinity of Morrisburg on the St. Lawrence River in so far as the proposal in any way (a) contemplates any reversal of the order of priority between navigation and power fixed by the Treaty of 1909 as the order to be observed in the use of boundary waters; (b) permits in the slightest any surrender by the Dominion of the complete control of the river necessary for the purpose of improving and protecting navigation, or subjects the existing control to the dominance of any parties primarily interested in the development of power; (c) or includes a power development scheme which does not form a proper part of a well considered and fully approved plan for the development of the whole river as a unit, primarily to improve navigation and incidentally to develop power.

That the Association will be pleased to see the demand for more electrical power in Ontario satisfied as soon as possible, so long as navigation interests remain in every way paramount and under the exclusive and unfettered control of federal authorities, and so long as any work undertaken forms a proper part of the general plan for development of the whole river above mentioned.

And that copies of this resolution be forwarded to the Rt. Hon. the Prime Minister, and to the Hon. the Ministers of Railways and Canals, Marine and Fisheries and Public Works.

10741-1

HYDRO-ELECTRIC POWER COMMISSION

TORONTO, January 24, 1924.

To the Secretary,
Department of Public Works,
Ottawa, Ont.

Re: Application of Hydro-Electric Power Commission of Ontario for Morrisburg Development.

DEAR SIR:

In pursuance of authority of the Government of Ontario, the Hydro-Electric Power Commission of Ontario makes application for the approval of plans

14 GEORGE V, A. 1924

and site for dam and power development works proposed to be built on the St. Lawrence river at or near Morrisburg.

Accompanying this application are the following plans and documents, which I beg to enclose herewith:—

1. Five copies of a description of the general engineering features of the proposition of the Hydro-Electric Power Commission of Ontario to develop the St. Lawrence river in the vicinity of Morrisburg, dated January 10, 1924.

2. Five copies of Plan No. 160-E-105, entitled "Project for the Power Development of the St. Lawrence River" dated January 8, 1924, being a general plan of the site, regulating dam, the power works, and the lock for navigation within the above structures at or near Morrisburg.

3. Five copies of plan No. 160-D-106 entitled "St. Lawrence River project for power development channel improvements" showing excavation plans at Leishman Point and Ogden Island.

4. Five copies of plan No. 160-E-107 entitled "St. Lawrence River project for power development channel improvements" showing excavation in vicinity of Galops Island head of South Galops Rapids.

5. Five copies of plan No. 160-D-103, entitled "Power House at Morrisburg, St. Lawrence River, scheme "B" being a general cross section of the power house, and section of the dam, in which it is located.

6. Five copies of a general map of the St. Lawrence river from Brockville to Montreal, with approximate proposed location of the works indicated thereon.

The above referred to plans, together with descriptive matter are general but I trust will answer the requirements of your department for the present. It is expected that further detailed plans will be provided at a later date, as are found necessary and required by your department.

The Commission suggests that a conference between the engineers of your Department and the Commission might be desirable, with a view to settling objections, if any, that your engineers may have to the proposed works.

The Commission desires to proceed with the work at the earliest possible date, and would be glad to have this application receive your early consideration.

Yours truly,

(Sgd.) W. W. POPE,
Secretary.

10741-1

Description of General Engineering Features of the Proposal of the Hydro-Electric Power Commission of Ontario in the vicinity of Morrisburg, Ontario. (January 23, 1924.)

The works proposed to be constructed on the St. Lawrence river, opposite the village of Morrisburg, Ontario, provide for navigation and for the development of power. The works comprise excavated channels, navigation lock, dams and sluiceways, embankments and power house.

The site near the village of Morrisburg, Ontario, has been selected on account of its many advantages, some of which are,—accessibility for purposes of construction, a location for the power house that in large measure is free from construction hazards, the procuring of foundation material for all the major structures, and such contours of the lands upstream as will greatly reduce the damage and inconvenience that would result to residents as contrasted with developments at other feasible sites.

The general arrangement of the proposed works may be understood by reference to the accompanying drawings, upon which the various structures and works are shown in their respective general situations.

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Sufficient spillway and sluiceway capacity will be provided to take care of the total maximum flow of the St. Lawrence river without any allowance for flow through the turbines in the power houses. At the main dam there will be provided 600 feet of free spillway with crest at or about elevation 241; sluiceways aggregating a clear 800 feet in length with a depth of 21 feet, controlled by stoney sluices; a clear length of sluiceways aggregating 320 lineal feet with a depth of 21 feet of submerged sluices with suitable gates. Further, it is proposed to divide the river, as far down as the foot of Murphy Island, into two channels, by an embankment connecting this island to the power house. The south channel will be connected to the forebay of the power plant by a channel 600 feet wide, cut through Murphy Point. Also a dam, provided with 350 lineal feet of submerged sluices, and 250 lineal feet of ice sluices will be placed across the upper end of this channel.

The channel south of Ogden island, known as Little river, with the channels east and west of Clark island, will form the forebay of the proposed development. There will be three inlets to this basin, of which the present mouth of Little river will form one. This channel will be improved by cutting off part of Leishman's Point, by deepening the channel of Little river, and by removing the present dam near Waddington. A cut 300 feet wide will also be made across the low part of Ogden island west of Waddington with a bottom grade of elevation 213. In addition to this channel, there will be another channel across the island just above the main dam. Inasmuch as the new water level created by the proposed structures will create sufficient depth of water across this channel, no excavation is contemplated here as the existing contours provide all the carrying capacity that is required at this place.

Provision is made for sufficient excavation in the channels on either side of Odops island to permit the proposed pool levels to be maintained without causing lake Ontario to rise as high as its natural flood level. This part of the proposed work is shown on drawing 160-E-107.

Power House.—The Canadian power house occupies the channel between the lower end of Ogden island and Clark island. Provision is made for an American power house between the east side of Clark island and Murphy point. The Canadian power house will contain some 34 units, each capable of developing 10,800 h.p. under a head of 27 feet. A cross section of the power house through one of the units is shown in drawing 160-B-103. The general location of the power house, dams, and other structures and work are shown on drawings Nos. 160-E-105, 160-D-106 and 160-E-107.

Question of Damages for Flooding.—The important feature of damage to property by flooding or by other means has not been overlooked. On account of the uncertainties appertaining to this phase of the project, it has not been considered necessary at this stage to do more than here give the assurance that this matter will be disposed of in such a manner as to do full justice to all interests concerned.

Navigation Structures.—At the north end of the dam a lock with 30 feet of water on the sill at low water will permit shipping to pass between the pool above the dam to the part of the present Morrisburg canal below Mariatown. This lock is provided with ample entrance piers, four pairs of service gates, a pair of unwatering gates, and an emergency gate. Sluices in the dam adjacent to the lock supply water to the lower reach of the canal, and for the power plants at present drawing their water supply from the canal at Morrisburg. Provision is made also for adequate sluices to discharge surplus water from the reach to the river below the dam. A swing bridge over the lock will provide access by a railway spur to the power house.

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Shipping after passing into the portion of the Morrisburg canal below the dam, would continue as at present through the present lock 23 and thence return to the river and vice versa.

When, in the future, it is desired to provide for navigation with a draft of 25 to 30 feet, then the channels above and below the 30 ft. lock would be excavated to provide the necessary depth and the necessary additions to the entrance piers built. Shipping would then pass from the pool above the dam to the river below the dam or vice versa.

10741-1.

OTTAWA, January 25, 1924.

SIR,—I beg leave to acknowledge the receipt of your letter of January 24 instant, enclosing the following plans in connection with the application of the Commission for approval of a dam and power development works proposed to be built on the St. Lawrence River at or near Morrisburg:—

1. Five copies of the description of the general engineering features dated January 10, 1924.

2. Five copies of plan No. 160-E-105, project for the power development of the St. Lawrence River, dated January 8, 1924.

3. Five copies of Plan No. 160-D-106 showing excavation plans at Leishman Point and Ogden Island.

4. Five copies of plan No. 160-E-107 showing excavation in the vicinity of Galops Island, head of South Galops Rapids.

5. Five copies of plan No. 160-D-103 being a general cross-section of the power house and section of the dam.

6. Five copies of a general map of the St. Lawrence River from Brockville to Montreal.

None of the plans mentioned are certified by the Registrar. I note that further detailed plans will be provided later on if they are found necessary by this Department.

Would you please send a set of tracings of the plans filed, and have them certified by the Registrar.

Your suggestion that a conference between the Engineers of this Department and the Commission might be desirable has also been noted.

The plans are being referred to the Chief Engineer for report.

I enclose a copy of our memorandum explaining the requirements of the Navigable Waters Protection Act which govern works of this nature.

Yours obediently,

(Sgd.) L. H. COLMAN, Secretary.

W. W. POPE, Esq., Secretary,

Hydro-Electric Power Commission of Ontario, 190 University Ave.,
Toronto, Ont.

No. 840.

DEPARTMENT OF PUBLIC WORKS, CANADA

Memorandum in reference to applications for the approval by the Governor General in Council under the provisions of chapter 115, revised statutes of Canada, 1906, and amending Acts, of the sites and plans of works in navigable waters.

Paragraph (a) of Section 2 of the Navigable Waters Protection Act as re-enacted by Chapter 33, 1918, defines "work" as follows:—

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(a) "Work" includes any bridge, boom, dam, aboiteau, wharf, dock, pier or other structure, tunnel or pipe, or telegraph or power cable or wire and the approaches or other works necessary or appurtenant thereto, or any work, structure, or device, whether similar in character to the foregoing or not, which may interfere with navigation.

Under the Statute and practice of the Department the procedure is as follows:—

1. To deposit a written description of the site, if possible by metes and bounds, and also a plan or plans of the proposed work, with the Minister of Public Works, accompanied by an application for their approval by the Governor General in Council. The plan or plans must be sufficient to indicate clearly the nature and extent of the work, and also the site of the same. Five copies of the description and five copies of the plan, or set of plans if there are more than one plan, are required. One of the plans, or one set of the plans if there are more than one, must be traced on linen, the others may be blue or white prints. The descriptions must be typed on heavy paper. If these documents are sent by mail, they should be addressed to "The Secretary, Department of Public Works, Ottawa."

2. A duplicate of the above-mentioned description of the site and of the plan or plans of the proposed work, must be deposited with the Registrar of Deeds for the district, county or province in which the work is to be constructed. Evidence that the description of the site and the plans have been so deposited, and of the date of their deposit, must be furnished to the Department, and the most satisfactory evidence is a certificate of the Registrar endorsed upon one of the descriptions of the site, and upon one of the plans or on each of the plans forming a set of plans, if there are more than one plan, forwarded to the Secretary of the Department. It is essential that it be clearly established that the description and plan or plans deposited with the Registrar are duplicates of those filed with the Minister. The plan or plans so certified must be the tracings referred to in Clause 1 hereof.

3. One month's notice in the form set out at the conclusion hereof, of the deposit of the description of the site and of the plan or plans with the Minister of Public Works and with the Registrar of Deeds must be given by advertisement in the *Canada Gazette* and in two newspapers published in or near the locality where the work is to be constructed.

Evidence of the publication of the advertisement in the *Canada Gazette* and in the two local newspapers must be furnished to the Department, and may be by Statutory Declaration, with copies of the advertisement in the *Canada Gazette* and in each newspaper attached as exhibits. The declaration must state that the two newspapers containing the advertisement are published in or near the locality where the work is to be constructed, and must mention the dates of the issues of the newspapers that contained the advertisement. Four insertions of the advertisement at weekly intervals will be accepted as satisfactory compliance with the provisions of the Statute in this regard.

4. The Applicants must furnish proof that they own or have a sufficient interest in the land and land covered with water upon which the works are to be constructed. It is not sufficient to hold the riparian interests alone if the work extends beyond the limits of the shore, but a sufficient portion of the harbour, river or lake bed must also be held by the Applicants. The Statute has reference to the erection of structures on lands owned by the Applicants or which they have the right to use and is designed to provide for due protection to navigation. It cannot be used as a means of acquiring title to lands upon which the structure is to be erected.

Applicants will note that when it is necessary in connection with the proposed work for them to acquire land (including land covered with water) belonging to the Dominion of Canada, a separate application for such land must be made:—

(a) To the Department of Marine if the land is situated in a public harbour.

(b) To the Department of the Interior if the land is not a public harbour and is in Manitoba, Saskatchewan, Alberta, the Railway Belt of British Columbia, the Northwest Territory or the Yukon Territory or if it is Ordnance Land in the Provinces of Ontario, Quebec, Nova Scotia and New Brunswick.

(c) To the Department of Indian Affairs if the land belongs to an Indian reserve.

(d) To the Department of Railways and Canals if the land is part of a canal reserve.

(e) To the Department of Militia and Defence if the land is part of a Military reserve.

(f) In other cases the application for the Dominion Land required may be sent with the application for the approval of the work, and the description of the site thereof, to the Department of Public Works.

All applications for Dominion Lands must be accompanied by a plan and description of the land by notes and bounds in quintuplicate. One of the plans must be a tracing, the others may be blue or white prints.

5. By Section 4 (2) of the Act, as re-enacted by Chapter 33, 8-9 George V, 1918, certain small works costing not more than one thousand dollars, which do not interfere with navigation are excepted from the operation of the Act and may be, on application, approved by the Department without advertising or filing of plans and description of the site in the Registry Office, as otherwise required. It is to be noted, however, that if the work costs more than one thousand dollars, or if it in the slightest degree interferes with navigation or encroaches upon navigable waters, even though it may really be otherwise of the utmost value to navigation, it will not be within the exception. The works covered by this exception are the following:—

Small wharfs or groynes or other bank or beach protection works, or boat-houses.

6. It is to be noted that it will be too late to apply for approval of the plans and site after the work is built, and works must not be commenced before the plans have been duly approved. The Statute gives no power to approve of works already constructed or in process of construction, except in the case of works constructed or in process of construction on the first day of June, 1918.

The procedure to secure approval of the plans and sites of works constructed or in process of construction on June 1, 1918, is the same as already described for works proposed to be constructed, except that legal evidence must be supplied that the works were constructed or in process of construction on that date; this evidence may be by Statutory Declaration.

DEPARTMENT OF PUBLIC WORKS, CANADA.

OTTAWA, September 17, 1919.

Model Advertisement.

NAVIGABLE WATERS PROTECTION ACT.

R. S. C. Chapter 115.

(give full name of applicant) hereby gives notice that
has, under Section 7 of the said Act, deposited with the Minister of Public

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Works at Ottawa, and in the office of the District Registrar of the Land Registry District of at a description of the site and the plans of (insert name of work, wharf, breakwater, laying of cable, etc., as the case may be) proposed to be (built, laid, under etc., as the case may be) in the (name of river or other body of water) at..... in front of Lot number (or at the foot of such a street, &c.)

And take notice that after the expiration of one month from the date of the first publication of this notice (insert name of applicant) will under Section 7 of the said Act, apply to the Minister of Public Works at his office in the city of Ottawa, for approval of the said site and plans, and for leave to construct the said (wharf, breakwater, &c., as the case may be).

Dated at.....this.....day of.....1921.
(Signature)

10741.

OTTAWA, February 5, 1924.

SIR,—Complying with a request of the Honourable the Minister of Justice, I am directed to send you herewith a copy of the application of the Hydro Electric Power Commission of Ontario for approval of a dam and power development works proposed to be built on the St. Lawrence River at or near Morrisburg. One copy of the description and of the five plans accompanying this application are sent you under separate cover.

The above are forwarded in connection with a meeting to be held by La Chambre de Commerce de Montreal on the 6th instant to consider all projects in reference to the opening of the St. Lawrence water rates.

As the Department will probably require this set later on, it is to be considered as a loan, and I would, therefore, ask you to please return it at your early convenience.

Your obedient servant,
(Sgd.) L. H. COLMAN,
Secretary.

J. C. GROVES CONTANT, Esq.,
Secretary La Chambre de Commerce, Montreal, P.Q.

10741-1.

HYDRO-ELECTRIC COMMISSION

TORONTO, January 28, 1924.

Mr. L. H. COLMAN,
Secretary Department of Public Works, Ottawa, Ont.

DEAR SIR,—I beg to acknowledge receipt of yours of the 25th inst., with enclosures, as stated, in connection with the application of the Commission for approval of dam and power development works proposed to be erected on the St. Lawrence River, at or near Morrisburg.

Yours truly,
(Sgd.) W. W. POPE,
Secretary.

10741

OTTAWA, February 22, 1924.

GENTLEMEN.—Referring to my letter of January 25, further examination of the plans filed by you with your application for the construction of a dam and

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power development works on the St. Lawrence River at or near Morrisburg shows that the power houses proposed are to be located wholly in the United States, and that only a part of the dam and the canal are to be situate in Canada. The project is consequently one which must be dealt with internationally, not departmentally.

Moreover, since you were represented before the International Joint Commission on the hearings preceding their report upon the development of power and navigation on this section of the St. Lawrence you are no doubt aware that the Commission recommended a project differing in essentials from that now submitted by you, and that in accordance with the Commission's recommendation action has recently been taken looking to the reconstitution, with additional members, of the International Board of Engineers, upon whose report that of the Commission was based.

If, in the circumstances you consider that any further steps can usefully be taken at present upon your application, the Department will be glad to receive your suggestions.

Your obedient servant,

(Sgd.) L. H. COLMAN,
Secretary.

The Hydro-Electric Power Commission of Ontario,
190 University Avenue, Toronto, Ont.

10741-1

HYDRO-ELECTRIC POWER COMMISSION

TORONTO, February 25, 1924.

Mr. L. H. COLEMAN,
Secretary Department of Public Works,
Ottawa, Ont.

DEAR SIR,—Yours of the 22nd inst. with reference to the construction of dam and power development on the St. Lawrence River, near Morrisburg, came duly to hand and will be brought to the attention of the Board at an early date, when you may expect to be communicated with further.

Yours truly,
(Sgd.) W. W. POPE,
Secretary.

MASSENA

INTERNATIONAL JOINT COMMISSION

OTTAWA, September 12, 1922.

DEAR SIR.—I beg to enclose herewith copy of Application of the St. Lawrence River Power Company for approval of a further continuance of the submerged weir in the south channel of the St. Lawrence River below the mouth of the Company's Power Canal near Massena, N.Y., constructed in 1918 under an Interim Order of this Commission.

Yours very truly,
(Sgd.) LAWRENCE J. BURPEE,
Secretary.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa.

SESSIONAL PAPER No. 101d

INTERNATIONAL JOINT COMMISSION

Application of the St. Lawrence River Power Company for approval of a further continuance of the submerged weir constructed in the year 1918, under an interim order of the International Joint Commission, in the South channel of the Saint Lawrence River, below the mouth of the St. Lawrence River Power Company's Power Canal, near Massena, New York.

To the Honourable the International Joint Commission:

The application of the St. Lawrence River Power Company respectfully sets forth:—

1. Under an Interim Order, promulgated by your Honourable Commission September 14, 1918, a copy of which is attached hereto and marked Exhibit 1, the applicant, The St. Lawrence River Power Company, a New York corporation, with its principal office at Massena, St. Lawrence County, New York, hereinafter termed the "Company" constructed during the months of October, November and December, 1918, a submerged weir in the South Channel of the St. Lawrence River, near the mouth of the company's power canal near Massena, New York, as shown on the map attached hereto, marked Exhibit 2.

2. The applicant respectfully sets forth that the said weir and the South Channel of the St. Lawrence River, in which it is located, are wholly within the territory of the United States and the construction and maintenance of said weir have been authorized by the United States and approved and a permit therefor issued by the Secretary of War (bearing number 38786 64 dated September 10, 1917), a copy of which is attached hereto marked Exhibit 3.

3. The company therefore respectfully applies to your Honourable Commission for its approval of a further continuance of the submerged weir hereinbefore referred to and shown on Exhibit 1 and in the permit of the Secretary of War of the United States; that is to say, the weir as at present constructed.

Respectfully submitted,

(Sgd.) THE ST. LAWRENCE RIVER POWER COMPANY,

G. R. GIBBONS,
Vice-President.

2400 Oliver Building,
Pittsburgh, Pennsylvania,
September 1, 1922.

OTTAWA, September 13, 1922.

DEAR SIR.—I beg to thank you for yours of the 12th instant, enclosing copy of Application of the St. Lawrence River Power Company for approval of a further continuance of the submerged weir in the south channel of the St. Lawrence River below the mouth of the company's power canal near Massena, N.Y., constructed in 1918 under an interim order of the International Joint Commission.

Yours truly,

(Sgd.) J. B. HUNTER,

Deputy Minister.

LAWRENCE J. BURPEE, Esq.,
Secretary International Joint Commission,
Ottawa.

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INTERNATIONAL JOINT COMMISSION

OTTAWA, October 14, 1922.

DEAR SIR,—I beg to inform you that a public hearing on the application of the St. Lawrence River Power Company for approval of a further continuance of the submerged weir constructed in 1918 under an Interim Order of this Commission, in the south channel of the St. Lawrence River below the mouth of the company's power canal near Massena, New York, will be held in the offices of the Commission, Old Land Office building, Washington, on Tuesday, December 5th, at ten o'clock a.m.

Yours very truly,

(Sgd.) LAWRENCE J. BURPEE,
Secretary.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa.

OTTAWA, October 17, 1922.

DEAR SIR,—I am just in receipt of your favour of the 14th instant, advising that a public hearing on the application of the St. Lawrence River Power Company for approval of a further continuance of the submerged weir constructed in 1918, under an interim order of the International Joint Commission, in the south channel of the St. Lawrence River below the mouth of the company's power canal, near Massena, N.Y., will be held in the offices of the Commission, Old Land Office Building, Washington, on Tuesday, December 5, 1922, at ten o'clock a.m.

Yours sincerely,

(Sgd.) J. B. HUNTER,
Deputy Minister.

LAWRENCE J. BURPEE, Esq.,
Secretary International Joint Commission,
Ottawa.

INTERNATIONAL JOINT COMMISSION

OTTAWA, October 21, 1922.

DEAR SIR JOSEPH POPE,—I am forwarding herewith copy of a communication received from the Harbour Commissioners of Montreal setting forth their regard to the application of the St. Lawrence River Power Company. I have written Mr. MacDougald pointing out that if this communication is to be regarded as a formal statement in response it should under the commission's rules be printed and sent to the Government for transmission to the commission. Meanwhile you may wish to put the views of the Harbour Commissioners before the Government engineers who may have been charged with this matter.

Yours very truly,

(Sgd.) LAWRENCE J. BURPEE,
Secretary.

Sir JOSEPH POPE, K.C.M.G.,
Under Secretary of State for External Affairs,
Ottawa.
Referred to: Public Works.

SESSIONAL PAPER No. 101d

HARBOUR COMMISSIONERS OF MONTREAL.

PRESIDENT'S OFFICE.

MONTREAL, October 11, 1922.

DEAR SIR,—The Montreal Harbour Commissioners respectfully submit the following statement for the consideration of the International Joint Commission.

For many years the organization known as the Harbour Commissioners of Montreal has been recognized generally as a public "Trust." Important public interests, relating to navigation, to the St. Lawrence Route, to Maritime Commerce as well as to the Harbour of Montreal, have been entrusted to them, not only for development but for guarding inviolate the rights, obligations, and interests of Canada in the River St. Lawrence District.

The Harbour Commissioners recognize therefore, not only their important functions in the development of the Harbour, and the facilitation of Transport and Trade, but their obligations in connection with the rights of the United States and Canada, in International matters connected with the St. Lawrence River. They recognize that they are serving Canada rather than Montreal. Their views, in the past, have been held in such authority that the Commissioners have approached this serious question with an open mind, and from a practical viewpoint. It was their first impulse to cry "halt" "The Sacred Treaty of 1842 must not under any circumstances be profaned and what may have been approved in 1918 and permitted, at the request of the United States to meet an urgent necessity for the prosecution of the War must not now be continued."

The Commissioners, after careful study, have concluded that such a decision would not be in keeping with the traditions and past policy of the Trust. Their policy must be commercial development, their duty to guard and improve navigation.

After, therefore, due consideration of the questions involved in connection with the application of the St. Lawrence Power Company for approval of their application by the International Joint Commission, of the continuance of the submerged weir in the channel south of Long Sault Island, the Harbour Commissioners of Montreal are of the following opinions:

1. That the submerged weir is a fundamental transgression of not only the letter but also of the spirit of the Webster Asburton Treaty of 1842.

2. The weir was permitted only as an interim measure, and as being a great International necessity.

3. What could be accepted as an International requirement may not be approved as being in the interests of a Corporation.

4. The existence of the weir in question is regarded without apprehension as regards navigation interests and transportation. The very able Chief Hydrographer of the Department of Marine, Canada, Mr. W. J. Stewart, has given an opinion, which is concurred in by the Consulting Engineer of the Commissioners, Mr. F. W. Cowe, that navigation conditions are if anything improved.

5. If, then, the St. Lawrence River Power Company desires a valuable privilege for profitable operations of its plant, and no interests are in the meantime suffering, it would seem reasonable that an International lease, with public interests safeguarded and cancellable should be negotiated by the International Joint Commission, the proceeds to be strictly applied to navigation interests on the St. Lawrence.

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The Harbour Commissioners of Montreal again submit for the consideration of the International Joint Commission, that approval of every important matter connected with the St. Lawrence should be withheld until a properly developed plan is prepared, taking in the whole river from Lake Ontario to Montreal, fully safeguarded for the people of the United States and Canada their heritage in connection with

1. Navigation
2. Hydro-electric power
3. Regulation of flow.

Faithfully yours,
(Sgd.) W. L. McDOUGALD,
President.

LAWRENCE J. BURPEE, Esq.,
Secretary International Joint Commission,
Ottawa, Ontario.

8812

INTERNATIONAL JOINT COMMISSION

OTTAWA, December 1, 1922.

Dear Sir.—I enclose herewith copies of statements filed by Canadian Cottons, Limited, and the Shipping Federation of Canada, in regard to the Application of the St. Lawrence River Power Company for a further continuance of the submerged weir constructed in 1918 in the south channel of the St. Lawrence River below the mouth of the Company's Power Canal, near Massena, N.Y.

Yours very truly,

(Sgd.) LAWRENCE BURPEE,
Secretary.

Referred to: Public Works.
Sir JOSEPH POPE, K.C.M.G.,
Under Secretary of State for External Affairs,
Ottawa.

8812

CANADIAN COTTONS, LIMITED,

CORNWALL, November 29, 1922.

The Honourable the International Joint Commission,
Attention of Mr. Lawrence J. Burpee, Secretary,
Ottawa, Canada.

Dear Sirs.—We desire to file with your Commission, the following statement in regard to the continuance of the submerged weir built in 1918 by the St. Lawrence River Power Company of Massena, N.Y., in the South Channel of the St. Lawrence River, near the head of the Long Sault Island.

Since this weir was built, the conditions, insofar as power development from waters of the Cornwall Canal are concerned, have been much improved and we have not been called upon to close down our mills, as we have had to do in previous years, on account of the low head of water at the entrance to Lock 21, Cornwall Canal. Prior to the placing of the weir and with the water in the river at the level that it is to-day, we would be put to serious inconvenience and financial loss on account of not being able to get enough water through the

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inlet gates of the canal to supply the requirements of navigation and power and in all probability we would be operating our auxiliary steam plant to make up for the shortage in our water-power which is developed from the Cornwall canal waters.

So far as our interests are concerned, we think it would be a mistake to remove this weir. We therefore respectfully request your honourable Commission to take such action as will insure its continuance.

Yours very truly,
(Sgd.) CANADIAN COTTONS LIMITED,
W. V. BOYD,
Manager.

8812

OTTAWA, December 6, 1922.

Dear SIR,—With reference to your letter of the 5th instant, I enclose herewith copy of a statement from the Shipping Federation of Canada, which should have accompanied my reference to you of the 4th December, 1922.

Regretting this inadvertency,

Yours very truly,
(Sgd.) F. M. BAKER,
For Under Secretary of State for External Affairs.
The Deputy Minister of Public Works,
Ottawa.

8812

THE SHIPPING FEDERATION OF CANADA,

218 BOARD OF TRADE BLDG.,
MONTREAL, November 30, 1922.

LAWRENCE J. BURPEE, Esq.,
Secretary International Joint Commission,
Ottawa, Ontario.

Re application of the St. Lawrence River Power Company for approval of a further continuance of their submerged weir.

Dear Sir,—The Shipping Federation of Canada (Incorporated) have given careful consideration to the application of the St. Lawrence River Power Company for permission to further continue with their submerged weir constructed in 1918, and have come to the unanimous conclusion that they still hold to the same views as expressed in their petition addressed to the International Joint Commission on the 24th August, 1918.

The Federation have always opposed in principle any scheme that would give any vested rights of any kind whatsoever to a private corporation in connection with damming or controlling our national highway. If, however, the International Joint Commission feel there are circumstances which justify the weir remaining, it should be taken over by the International Joint Commission or other properly constituted authority and leased annually to whom they may see fit, but under no circumstances should the vested rights of this weir be allowed to remain in the hands of a private corporation.

Respectfully submitted,

(Sgd.) ROBERT W. REFORD,
President.

(Sgd.) THOMAS ROBB,
Manager and Secretary.

14 GEORGE V, A. 1924

8812

INTERNATIONAL JOINT COMMISSION

OTTAWA, December 12, 1922.

Dear Sir,—I enclose herewith copy of the Interim Order in the matter of the Application of the St. Lawrence River Power Company, adopted by the Commission on December 6, 1922.

Yours very truly,

(Sgd.) LAWRENCE J. BURPEE,
Secretary.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa.

IN THE MATTER OF THE APPLICATION OF THE ST. LAWRENCE RIVER POWER COMPANY FOR A FURTHER CONTINUANCE OF THE SUBMERGED WEIR IN THE SOUTH CHANNEL OF THE ST. LAWRENCE RIVER, NEAR MASSENA, N.Y.

Whereas, the Commission, by interim order dated 14th September, 1918, approved the construction and maintenance of a submerged weir in the St. Lawrence River, pursuant to an application dated 25th July, 1918, by the St. Lawrence River Power Company, a New York State Corporation having its principal office at Massena, N.Y., as by reference to the said order will more fully appear, and

Whereas, said applicant has constructed said weir in said river and maintained the same, and

Whereas, said applicant has made application for the further continuance of the approval of said weir.

It is hereby ordered, as a further interim measure that the approval of the construction and the maintenance of the said submerged weir, as expressed by the interim order of the 14th September, 1918, shall be and is hereby extended for the further period of two years next following the 14th day of September, 1923, and thereafter until six months notice in writing either by the Government of Canada or by the Government of the United States to the St. Lawrence River Power Company that the notifying Government objects to the further maintenance of the said weir; and thereupon, at or before the expiry of said notice, the said weir shall be removed by the applicant company, unless the said company having applied to the Commission within two months after the service of the said notice, for the approval of the continuance of said weir for a further period and having prosecuted said application with due diligence, shall obtain such approval; approval granted by this order to be, however, upon and subject to the following conditions:

1. That the diversion of water by the Massena power canal shall at no time exceed 25,000 c.f.s. unless when the diversion of a larger quantity of water will not, in the opinion of the Board of Control hereafter constituted, injuriously affect navigation.

2. That the St. Lawrence River Power Company shall, at its own proper cost and charges, with reasonable dispatch and under the direction of the Board of Control, cause sluice gates or other suitable contrivances to be provided so as to protect against injury from flood; and also with reasonable dispatch and under the like direction shall complete, according to the approved plans, repair, put into good condition and make tight, so far as reasonably practicable, the said weir, in order that it may afford the utmost possible compensation at low water

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for the diversion which takes place through the Massena Power Canal; and that the weir with the sluice gates or other contrivances as aforesaid, shall thereafter be maintained in good condition during the period of extension hereby authorized, or for so long as this order shall continue to operate or to be effective.

3. That the weir and the flood control works herein provided for and, in time of emergency, any equipment of the applicant wherever situated which can be used for flood control be placed under the direction of said Board of Control consisting of two engineers, one to be named by the Government of Canada and the other to be named by the Government of the United States who shall control the operation of the gates and sluices therein or connected therewith so as if possible to insure that at high water the level at the head of the Cornwall Canal shall not be higher than that which would be caused by the river discharge under natural conditions; that at low water the said level shall not fall lower than at the time of low water under natural conditions and that no diversion of water by the Massena Power Canal in excess of 25,000 c.s.f. shall at any time take place to the injury of navigation. In the event of disagreement in the execution of their powers the Board of Control shall apply to the Commission for directions, and further shall have the right to apply in any circumstances where deemed necessary or advisable.

Provided that notwithstanding anything in this order contained the Commission may, at any time, of its own motion and upon notice and after hearing revoke the approval hereby granted; and moreover all the terms and conditions in the said interim order of the 14th September, 1918, expressed are mutatis mutandis and so far as they are capable of being applied to this order to be incorporated herein.

WASHINGTON, D.C., December 6, 1922.

(Sgd.) O. GARDNER.

C. A. MAGRATH,

C. D. CLARK,

H. A. POWELL,

W. H. HEARST,

M. A. SMITH.

A true copy of the duplicate original of the order signed by the Commissioners December 6, 1922.

(Sgd.) LAWRENCE J. BURPEE,

Secretary.

8812

OTTAWA, December 14, 1922.

DEAR SIR,—I beg to thank you for yours of the 12th instant enclosing copy of the Interim Order in the matter of the Application of the St. Lawrence River Power Company, adopted by the International Joint Commission on December 6, 1922.

Yours truly,

(Sgd.) J. B. HUNTER,

Deputy Minister.

L. J. BURPEE, Esq.,

Secretary International Joint Commission,
Ottawa.

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8812

BRITISH EMBASSY,

WASHINGTON, February 27, 1923.

My LORD,—I have the honour to transmit to your Excellency, herewith, copies of the paper mentioned in the subjoined schedule.

I have the honour to be,

Your Excellency's most obedient, humble servant,
(For the Ambassador)

(Sgd.) R. G. CHILTON.

His Excellency, the Governor General of Canada.

Subject

<i>Name and Date</i>	<i>Subject</i>
From Department of State, Washington, February 26, 1923.	Appointment of representatives upon the International Board of Control, con- cerning the submerged weir in the South Channel of the St. Lawrence River, near Massena, New York.

Reference:

Canada, despatch No. 6 of January 22, 1923.

Referred to: Public Works.

8812

DEPARTMENT OF STATE,

WASHINGTON, February 26, 1923.

EXCELLENCY,—Referring to your note No. 74 of January 27, 1923, informing the Department that Mr. W. J. Stewart, Consulting Engineer of the Department of External Affairs, has been appointed as the representative of Canada upon the International Board of Control, constituted by an Order passed by the International Joint Commission, on December 6, 1922, concerning the submerged weir in the South Channel of the St. Lawrence River, near Massena, New York, I have the honour to inform you that Major Paul S. Reinecke, United States District Engineer, in charge of Federal River and Harbour Improvements in the district within which the submerged weir is located, has been designated as this Government's representative on the Board. Major Reinecke's address is 540 Federal Building, Buffalo, New York.

Accept, Excellency, the renewed assurance of my highest consideration.

(Sgd.) CHARLES E. HUGHES.

711,42157 Sa. 24/29.

CEDARS

3560—1C

MONTREAL, April 27, 1922.

Secretary, Department of Public Works,
Ottawa, Ont.

Re *Application of the Cedars Rapids Manufacturing & Power Company,*
Montreal, for approval of Plans under Chapter 115, R.S.C.

DEAR SIR,—In connection with the above application, we enclose herewith five copies of the petition and description of works and are sending you by

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express five copies of the plan. You will note that one copy of the plan as well as one copy of the description of the works has been certified by the Registrar of the District of Soulanges evidencing the deposit in his office. The advertisements are running in the local papers and have been forwarded for publication in the Canada Gazette.

If any further information or documents are required kindly advise. In the meantime we would be obliged if you would acknowledge receipt.

Yours truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

3560-1D

NAVIGABLE WATER PROTECTION ACT

R.S.C., Chapter 115.

The Cedars Rapids Manufacturing and Power Company hereby gives notice that it has, under Section 7 of the said Act, deposited with the Minister of Public Works at Ottawa, and in the office of the District Registrar of Land Registry, District of Soulanges at Coteau, a description of the site and the plans of ice protection, piers and glance boom to be built in the St. Lawrence River at Cedars, joining the Company's property and in front of Lots numbers 131, 132, 133, 134, 135, 136, 137 and 138.

And take notice that after the expiration of one month from the date of the first publication of this notice the Cedars Rapids Manufacturing and Power Company will, under Section 7 of the said Act, apply to the Minister of Public Works at his office in the City of Ottawa, for approval of the said site and plans and for leave to construct the said ice protection, piers and glance boom.

Dated at Montreal, this 26th day of April, 1922.

THE CEDARS RAPIDS MANUFACTURING AND POWER COMPANY.

(Sgd.) C. S. BAGG,
Secretary

3560-1D

IN THE MATTER of the Application of the CEDARS RAPIDS MANUFACTURING AND POWER COMPANY, Montreal, for Approval of its Plan for the Construction of Certain Work in Navigable Waters, to wit, the St. Lawrence River.

To His Excellency Julian Hedworth George, Baron Byng of Vimy, General on the Retired List and in the Reserve of Officers of The Army, Knight Grand Cross of The Most Honourable Order of the Bath, Knight Grand Cross of The Most Distinguished Order of Saint Michael and Saint George, Member of The Royal Victorian Order, Governor-General and Commander in Chief of The Dominion of Canada.

IN COUNCIL:

The Petition of the undersigned, the Cedars Rapids Manufacturing and Power Company, a body politic, incorporated by special act of the Dominion of Canada, and having its head office and principal place of business in the City of Montreal, in the Province of Quebec.

HUMBLY SHEWETH:

1. That your Petitioner was incorporated for the purpose of constructing and operating a hydro-electric development on the St. Lawrence River at Cedars, Quebec.

2. That upon report of the Committee of Privy Council approved by His Excellency, the Governor General, on the 28th day of May, 1909, the plans submitted by The Cedars Rapids Manufacturing and Power Company and the description of the proposed site filed with the Minister of Public Works was approved subject to the conditions set forth in the said Order in Council to which the Cedars Rapids and Manufacturing and Power Company agreed and obliged itself.

3. That upon report of the Committee of Privy Council approved by His Excellency, the Governor General on the 16th day of June, 1913, the plans submitted by The Cedars Rapids Manufacturing and Power Company for the construction of an ice boom and concrete piers at the intake to its power canal, filed with the Minister of Public Works, was approved.

4. That upon report of the Committee of Privy Council approved by His Excellency, the Governor General, on the 12th day of November, 1920, the plans submitted by The Cedars Rapids Manufacturing and Power Company for the installation of a wing dam constructed of rock and earth instead of an ice boom and concrete piers, filed with the Minister of Public Works, was approved.

5. That your Petitioner has for a number of years past operated its hydro-electric development at Cedars, and since the installation of its wing dam approved of under date November 12, 1920, has found that the trouble experienced from low water, frazil and anchor ice has been mitigated but the trouble experienced from large sheets of floating ice which break away from the shores between the head of the power canal and Coteau Rapids still continues to be a menace to the operation of the Company's plant.

6. That your Petitioner has determined that by the installation of ice protection piers, and glance boom, the difficulties encountered during the winter season with the large sheets of floating ice will be overcome.

7. That your Petitioner has caused copies of its plan and description of the site and proposed work to be deposited with the Minister of Public Works and with the office of the Registrar of Deeds, for the District in which such work is proposed to be constructed, the whole in accordance with the provisions and requirements of Chap. 115 of the Revised Statutes of Canada, 1906.

8. That your Petitioner is prepared to properly protect all interests which might be affected by the proposed works, and to compensate for any losses which might be sustained by reason of the proposed works, as well as to protect the rights of navigation.

Wherefore your Petitioner prays that your Excellency in Council may be pleased to approve the plan and description deposited by your Petitioner as aforesaid.

And as in duty bound your Petitioner will ever pray.

MONTREAL, 26th April, 1922.

(Sgd.) THE CEDARS RAPIDS MANUFACTURING & POWER CO.

E. T. NORRIS, *Vice-President.*

C. S. BAGG, *Secretary.*

Solicitors.

SESSIONAL PAPER No. 101d

APPLICATION OF THE CEDARS RAPIDS MANUFACTURING AND POWER COMPANY FOR APPROVAL OF PLANS OF IMPROVEMENTS TO PLANT AT CEDARS, QUE.

Description of Work.

Site.—The proposed work is situated on the the St. Lawrence River, in the County of Soulanges, Province of Quebec, at a place known as Cedars, Quebec.

The St. Lawrence River at this point has a fall of approximately 30 feet and The Cedars Rapids and Manufacturing and Power Company has a hydro-electric development at Cedars using a portion of the river flow.

Purpose of Work.—The Company asks for the right to install ice protection piers and glance boom abutting on its wing dam and extending at an angle of approximately 15 degrees up-stream in a westerly direction for a distance of approximately 2500 feet and thence to the shore line a distance of approximately 1500 feet.

The purpose of the ice protection piers and glance boom is to break up and keep out of the Company's power canal large sheets of floating surface ice which seriously interfere with the operation of the plant during the winter season.

Ice Protection Piers and Glance Boom.—The ice protection, piers and glance boom will be constructed from the end of the Company's wing dam in a westerly direction, as indicated on white print of Drawing No. 1289—E. The Cribs supporting the glance boom will consist of timber, rock filled, the glance boom consisting of three 12 inch by 12 inch timbers bolted together with four inch spacings between timbers. The section of boom being chained together and to the piers, so as to permit of same being easily removed during the season of navigation. The western end of boom will be anchored to a rock filled bank situated on top of a reef as shown on plan.

The ice piers consist of timber rock filled and constructed in such a manner as to break up the sheets of floating surface ice.

Bureau d'enregistrement du Comté de Soulanges, déposé à 9½ heures au le 26 Avril, 1922.

(Sgé.) ADRIEN ROULEAU,

R.

Vraie copie.

(Sgé.) A.R.,
R.

3560—110

Canada
Province of Quebec,
District of Montreal.

IN THE MATTER OF THE APPLICATION OF THE CEDARS RAPIDS MANUFACTURING AND POWER COMPANY, FOR APPROVAL OF ITS PLAN FOR THE CONSTRUCTION OF CERTAIN WORK IN NAVIGABLE WATERS, TO WIT, THE ST. LAWRENCE RIVER.

I, Robert M. Wilson, of the City of Montreal, Province of Quebec, do make oath and say:—

1. That I am the Engineer of the Company applicant.
2. That I have a knowledge of the matter, and that the allegations in the annexed Petition of The Cedars Rapids Manufacturing and Power Company for the approval of its plan is to the best of my knowledge true in substance and in fact.

14 GEORGE V, A. 1924

And I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the City of Montreal, in the Province of Quebec, this 24th day of April, 1922.

(Sgd.) R. M. WILSON.

3560-1C

OTTAWA, May 1, 1922.

GENTLEMEN,—I have received your letter of April 29 last, making application under section 7 of the Navigable Waters Protection Act, for approval of the plan and description of the site of ice protection piers and a glance boom proposed to be constructed at Cedars, Que., by the Cedars Rapids Manufacturing & Power Company, in connection with its power development works. The following enclosures accompanied your communication: five copies of a document containing a copy of the advertisement; a copy of the Company's petition; a description of the work, the description being certified by the Registrar; a statutory declaration; five copies of the plan—one being certified.

Your obedient servant,

(Sgd.) R. C. DESROCHERS,

Secretary.

Messrs. BROWN, MONTGOMERY & McMICHAEL,
Barristers, etc.,
Dominion Express Building, Montreal, P.Q.

3560-1C

MONTREAL, June 10, 1922.

Secretary, Department of Public Works,
Ottawa, Ont.

Re Cedars Rapids Manufacturing & Power Company Approval of Plans.

DEAR SIR, We enclose herewith affidavit of Mr. R. M. Wilson establishing the publication of the notices as required by law, and are sending you by express the newspapers containing the several notices.

Yours truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

3560-1C

IN THE MATTER of an Application by the Cedars Rapids Manufacturing & Power Company for Approval of the Plans, under Chapter 115 R.S.C.

1. Robert M. Wilson, of the City of Westmount, in the District of Montreal, do solemnly declare:

1. I am the Chief Electrical Engineer of the company applicant and reside at No. 2 Hudson Avenue, in the said City of Westmount.

2. One month's notice of the deposit of the description of the site and of the plans with the Minister of Public Works required by law has been given by advertisement in the *Canada Gazette* and in two newspapers published in

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or near the locality where the work is to be constructed, to wit, in the *Montreal Standard* and *Le Progres de Valleyfield*, as appears by copies of the said applications hereto annexed as follows:—

Exhibit "A"—Copies of the *Canada Gazette* of the following issues: May 6th, 1922; May 13th, 1922; May 20th, 1922, and June 3rd, 1922.

Exhibit "B"—Copies of the *Montreal Standard* of the following issues: April 29th, 1922. May 6th, 1922. May 13th, 1922; May 20th, 1922, and May 27th, 1922.

Exhibit "C"—Copies of *Le Progres de Valleyfield* of the following issues: May 4th, 1922; May 11th, 1922; May 18th, 1922; May 25th, 1922; June 1st, 1922.

And I make this solemn declaration conscientiously believing the same to be true and knowing that it is of the same force and effect as if taken under oath and by virtue of the Canada Evidence Act.

Declared before me at the City of
Montreal, this 10th day of June, 1922.

(Sgd.) G. N. WHATLEY.

(Sgd.) R. M. WILSON.

3560-1C

OTTAWA, June 14, 1922.

GENTLEMEN,—I have received your letter of June 10 instant, enclosing in the matter of the ice protection piers and glance boom proposed to be constructed at Cedars, P.Q., by the Cedars Rapids Manufacturing and Power Company, a statutory declaration proving that the advertisement respecting the application has been published in the *Canada Gazette* and two local newspapers.

Our Engineers have reported favourably with respect to the project, but you do not appear as yet to have filed evidence that the applicants have the right to use the site of the work.

Yours obediently,

(Sgd.) R.C. DESROCHERS,

Secretary.

MESSRS. BROWN, MONTGOMERY & McMICHAEL,
Barristers, etc.,

Dominion Express Building, Montreal, P.Q.

3560-1C

MONTREAL, June 14, 1922.

Secretary, Department of Public Works,
Ottawa, Ont.

Re Application of Cedars Rapids Manufacturing & Power Company for
Approval of Plans.

DEAR SIR,—We enclose herewith copy of letter received from the Deputy Minister of Lands & Forests, Quebec, together with copy of Order in Council granting the lease of the water lot at Cedars.

Yours truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

14 GEORGE V, A. 1924

3560-1C

QUÉBEC, 13 juin, 1922.

Messieurs BROWN, MONTGOMERY & McMICHAEL,
Montréal, Qué.

St-Laurent, Rapides des Cèdres

Messieurs,—J'ai l'honneur de vous transmettre ci-joint copie d'un arrêté du conseil en vertu duquel votre cliente, la compagnie Cedars Rapids Manufacturing and Power Co. Ltd., est autorisée à occuper un lot supplémentaire du St-Laurent, d'une superficie de 5.7 acres au prix de \$10 de l'acre.

Je vais donner instructions au notaire Chs. Delagrave de préparer l'acte devant incorporer les conditions.

J'ai l'honneur d'être, messieurs,

(Sgé.) ELZ. MIVILLE-DECHENE,
Sous-Ministre.

3560-1C

MONTREAL, June 15, 1922.

R. C. DESROCHERS, Esq.,
Secretary, Department of Public Works,
Ottawa, Ont.

*Re Cedars Rapids Manufacturing & Power Company Application—
File No. 3560-1*

Dear SIR,—We beg to acknowledge receipt of your favour of the 14th instant, for which we are obliged. Yesterday morning we mailed you a copy of the Order in Council granting the Cedars Rapids Company the lease of the additional water lot at Cedars.

Yours truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

3560-1C

OTTAWA, June 19, 1922

GENTLEMEN,—I have received your letter of June 14 instant, enclosing a copy of a letter from the Deputy Minister of Lands and Forests of Quebec together with a copy of the Order in Council passed by the Provincial Government granting authority to issue a lease to the Company for the site required for the ice protection piers and glance boom proposed to be constructed at Cedars, P.Q.

There is, however, little to our purpose in the copy of the Order in Council referred to as it does not contain a description of the area proposed to be leased, and moreover is not certified. Kindly send me a copy of the Order in Council with a plan and description attached certified by the proper officers of the Department.

Your obedient servant,

(Sgd.) R. C. DESROCHERS,
Secretary.

Messrs. BROWN, MONTGOMERY & McMICHAEL,
Barristers, etc.,
Dominion Express Building, Montreal, P.Q.

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3560-1D

KINGSTON, June 19, 1922.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa, Ont.

Re Dam at Isle aux Vaches erected by Cedars Rapids Mfg. & Power Company

Dear Mr. HUNTER, — There was a correspondence in May of last year regarding this dam and after investigation at the stage which construction had then reached it was reported to you by this Association that the dam did not appear to be interfering with navigation. It has now been found that levels are being interfered with, and the pilot of the "Rapids Prince" reports touching bottom in the Cedars Rapids notwithstanding the prevailing higher water levels. It appears that levels vary with the amount withdrawn inside the dam and according to the report the dam has obviously changed shore levels at certain points under conditions when good water might have been expected, and presumably the same depreciation in level has taken place in the Channel.

The owners of the Rapids steamer are naturally concerned and I have been instructed to call the matter to your attention and to ask whether construction is being carried on with strict regard to the proposals approved and whether also there is not a remedy applicable to the present difficulty. Will you be so good as to let me know about this. Perhaps you would indicate the present position of the construction work and the extent of the additional work already authorized.

Then too, it is also understood that advertisement has recently been made by the Montreal Light, Heat & Power Company of proposed additional works. I am asked to enquire as to the character and probable effect of these works. If they would in any way increase the difficulties of navigation the Association would of course be on record as protesting.

I shall be glad to be favoured with a reply from you and no doubt you will realize the seriousness of any undertaking which will in fact bar the river to navigation, and will see that prompt investigation is made and advice given to me on behalf of the Association.

Yours very truly,

(Sgd.) FRANCIS KING.

3560-1D

OTTAWA, June 22, 1922.

Dear Mr. KING, — Your letter of the 19th instant concerning the dam which is being erected by the Cedars Rapids Mfg. and Power Company at Isle aux Vaches, P.Q., interfering with navigation duly received.

Your communication is being referred to the Engineering Branch of the Department for immediate investigation.

Yours very truly,

(Sgd.) J. B. HUNTER,
Deputy Minister.

FRANCIS KING, Esq., K.C.,
Counsel, Dominion Marine Association,
Kingston, Ont.

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MONTREAL, July 3, 1922.

R. C. DESROCHERS, Esq.,
 Department of Public Works,
 Ottawa, Ont.

Re *Cedars Rapids Manufacturing and Power
 Company. Approval of Plans*

Dear Sir,—In further reference to your request, we have pleasure in enclosing herewith certified copy of the Order in Council granting the water lot, together with certified copies of plan and description. Trusting that this will give you the information desired, we remain,

Yours truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

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COPIE DU RAPPORT D'UN COMITÉ DE L'HONORABLE CONSEIL EXÉCUTIF EN DATE DU
 7 JUIN 1922 APPROUVÉ PAR LE LIEUTENANT-GOUVERNEUR LE 7 JUIN 1922

*Concernant la demande de la compagnie dite "The Cedar Rapids Manufacturing
 and Power Co. Ltd."*

1110.

L'honorable ministre des Terres et Forêts, dans un rapport en date du 30 mai (1922) expose: que la compagnie "The Cedar Rapids Manufacturing and Power Co. Ltd." demande la concession d'un certain lot faisant partie du lit du Saint-Laurent en front de la paroisse de Saint-Joseph de Soulanges, pour y faire certains travaux dans et but d'améliorer le canal d'amenée de leur usine hydro-électrique des Cèdres.

Que par acte devant le notaire Jos. Allaire, de Québec, en date du 2 courant 1910, le Gouvernement a loué à la compagnie susmentionnée par bail emphytéotique de 99 ans, à courir du 1er août 1910, les forces hydrauliques d'une partie du rapide des Cèdres et une certaine étendue des grèves et du lit du fleuve, le tout mieux défini au bail et d'une superficie de 194.85 arpents carrés.

Qu'en vertu d'un acte devant le notaire J. A. Perodeau, en date du 31 mars 1913, deux lots additionnels faisant partie du lit du fleuve Saint-Laurent, d'une étendue totale de 123¹/₂ arpents carrés ont été loués à la dite compagnie pour le reste de la durée du bail emphytéotique original. (2 août 1918).

Que par acte devant le notaire Chs Delagrave, en date du 25 avril 1921, le Gouvernement a concédé par bail emphytéotique un nouveau lot adjacent aux précédents faisant partie du lit du Saint-Laurent, d'une superficie de 52.2 acres, pour le reste de la durée du bail original.

Considérant que la nouvelle demande est nécessaire à l'usine, établie en vertu de la première concession, l'honorable ministre recommande d'être autorisé à louer jusqu'à l'expiration du susdit premier bail et aux conditions ordinaires, le lot demandé de 57 acres au prix de \$10.00 de l'acre, en réservant les droits des tiers et un passage d'accès et de sortie pour les propriétaires riverains ainsi enclavés et celui des tiers en général ainsi que pour la navigation, le tout sujet aux lois et règlements du Gouvernement fédéral et du Gouvernement provincial, (8 Geo. V, chap. 68) concernant la navigation, les mines et les pêcheries.

Certifié,

(sgé) A. MORISSET,
Greffier Conseil Exécutif.

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DESCRIPTION of a Deep water lot which the Cedars Rapids Manufacturing and Power Company purposed to lease from the Government of the Province of Quebec, in front of lots 131 to 137 inclusive, of the Cadastre of the Parish of St. Joseph des Cedres, county of Soulanges.

A parcel of land, of irregular shape, lying and being on the river bed of the St. Lawrence river, in front of lots Nos. 131, 132, 133, 134, 135, 136, 137 of the Cadastre of the Parish of St. Joseph des Cedres, County of Soulanges, bounded towards the North by the lot No. 131; towards the Northeast and Southwest, by the bed of the river St. Lawrence; towards the Southeast by the westerly boundary of a deep water lot leased by the Cedars Rapids Manufacturing and Power Company, by contract dated 25th April, 1921, and passed before Charles Delagrave, N.P.

The present parcel of land is shown in detail on a plan prepared by Paul A. Beique, Q.L.S., under date of May 13, 1922, and it may be more particularly described as follows:—

1. A strip of land Fifty (50) feet in width, lying and being twenty-five (25) feet on each side of the centre line which may be more particularly described as follows:—

Commencing at a point marked "Z" on the plan hereto annexed, which said point "Z" is situate at a distance of One hundred and sixty-seven feet measured along a line to the Southwest and perpendicular to the division line between Lots Nos. 131 and 132 of said Cadastre of the Parish of St. Joseph des Cedres, from a point distant One hundred and six feet and four tenths (106.4) measured towards the Southeast, along said division line between lots Nos. 131 and 132, from its intersection with the Northerly boundary of the Public Road. Said starting point "Z" is located on the high water mark bounding lot No. 131, to the South. From said starting point "Z" proceeding in a straight line, in a direction South $40^{\circ} 03' 1''$ East, for a distance of One thousand, two hundred and fifty-nine (1,259) feet to a point marked "V;" thence, proceeding along a straight line, in a direction South $40^{\circ} 03' 1''$ East and seven tenths (343.7) to a point marked "U;" thence proceeding in a straight line, in a direction South $61^{\circ} 58' 1''$ East, for a distance of Two thousand, seven hundred and fifty-four feet and two-tenths (2,754.2) to a point marked "Y" which is located on the Westerly Boundary of line described by letters "M-N" in a lease of the Honourable H. Mercier to the Cedars Rapids Manufacturing and Power Company, passed before Charles Delagrave, N.P., on the 25th April, 1921. Said point "Y" is located at a distance of One thousand, three hundred and twenty-three feet and one-tenth (1,323.1) measured in a South Westerly direction, along said line "M-N" from point "E."

2. A strip of land measuring fifty feet (50) in width, and lying twenty-five feet (25) on each side of the centre line, and which may be more particularly described as follows:—

Commencing at a point "V" hereinabove referred to in part No. 1 which said point "V" is situate at One thousand two hundred and fifty-nine (1,259) feet measured in a direction South $40^{\circ} 03' 1''$ East, from starting point "Z" located on the high water mark at the Southerly boundary of said lot No. 131, and fully described hereinabove under part No. 1; and from said point "V" proceeding in a straight line in a direction South $18^{\circ} 35' 1''$ East, for a distance of One thousand and thirty feet and seven-tenths (1,030.7) to point "X."

Said two parcels of land, as described, containing by admeasurement, Five acres and seven-tenths (5.7) acres more or less, and being shown coloured pink, on plan attached hereto.

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All bearings are astronomical, and all distances English measure, and expressed in decimals of a foot.

The high water elevation is one hundred and thirty-one feet and five-tenths (131.5) and the low water elevation is one hundred and twenty-eight feet and four-tenths (128.4) above mean tide.

(Sgd.) PAUL A. BEIQUE,
Q.L.S.

MONTREAL, May 13, 1922.

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OTTAWA, July 5, 1922.

Re application of the Cedars Manufacturing and Power Company, Limited, for approval of ice protection piers and glacier booms proposed to be built at Cedars, P.Q.

GENTLEMEN,—I beg leave to acknowledge the receipt of your letter of July 3 instant, enclosing a certified copy of the Order in Council passed by the Provincial Government of Quebec, which you state grants the water lot required for the works. Copies of the plan and description were likewise received.

Your obedient servant,
(Sgd.) R. C. DESROCHERS,
Secretary.

Messrs. BROWN, MONTGOMERY & McMICHAEL,
Barristers, etc.,
Dominion Express Building, Montreal, P.Q.

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MONTREAL, July 10, 1922.

Mr. C. R. COUTLEE,
Dept. of Public Works,
Hunter Building, Ottawa, Ont.

Dear Sir.—Referring to our interview in the matter of letter received by Mr. Hunter, Department of Public Works, from Mr. Francis King, under date of June 19th, 1922, representing the Dominion Marine Association, alleging that the wing dam which we have constructed at Cedars from Isle aux Vaches westward has been responsible for changing water levels so as to cause the grounding of one of the Rapids' boats in the Cedars Rapids, the property of the Canada Steamship Lines, we most emphatically deny that our wing dam has in any way been responsible for the grounding of the "Rapids Prince."

In order that your record may be quite clear we take pleasure in furnishing the following:

In June, 1920, the Power Company started the construction of its embankment from the end of Isle Aux Vaches westwards; by the end of the season of 1920 there had been completed approximately one quarter of the total embankment.

At a meeting held on March 30th, 1921, of the Dominion Marine Association in Montreal, a representative of the Canadian Steamship Lines stated that one of their pilots, Captain Ouellette, made a complaint that our work would be the cause of trouble to the Steamship Line boats in the Cedars Rapids.

Under date of April 30th, 1921, a letter of protest was forwarded by Mr. Francis King to Mr. Hunter, Deputy Minister of Public Works, complaining

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that we were obstructing the channel in the Cedars Rapids. As a result of this communication, Mr. L. G. Papineau, Supervising Engineer of the Department of Public Works in Montreal, visited the work at Cedars and made certain observations with a view to ascertaining if the work was being carried out in accordance with plans furnished your Department, and he found such was the case.

About May 12th, 1921, Captain Ouelette called at the Power Company's offices and interviewed the undersigned, stating he was very much worried that our work, which had been carried out during the previous year on the embankment, would cause him trouble in navigating the Cedars Rapids. We assured him we were certain our work would in no way affect navigation and in order to satisfy him we agreed to run the Rapids in one of our own boats to prove to him and any other Captain piloting boats through the Rapids that such was the case.

On May 17th, 1921, Captain Ouelette, accompanied by Captain Batten, ran the Cedars and Cascade Rapids in one of our boats accompanied by Mr. Hawley, the Company's Resident Engineer at Cedars, and the undersigned. Both of the Captains informed us that they were satisfied that our work had not interfered with the navigating conditions in the Cedars Rapids.

It might be of interest for you to note that at the time the trip was made through the rapids our dam had been extended practically 50 per cent of its total length. The Rapids' boats continued to operate all the season of 1921, during which time our dam was being constructed, and was completed on October 29th, 1921.

Since last October we have not extended the bank. The work during the present season has been the widening of the bank on the Company's own property.

A short time after the company started the construction of its works at Cedars, automatic recording gauges were installed at the Head of Isle a l'Ail and at the head and bottom of Isle Ville Monble, otherwise known as Quenneville Island, and elevations recently taken, viz. on June 24th, 1922, demonstrate that instead of the water being lower in the boat channel since the construction of the embankment from Isle aux Vaches west that the water is actually higher.

The following levels are of interest and confirm this statement:—

August 1, 1917—Elevation Lake St. Francis.. . . .	152.4
Western end of Isle a l'Ail.. . . .	124.04
Western end of Quenneville Island.. . . .	115.54
Eastern end of Quenneville Island.. . . .	107.74
June 24, 1922.—Elevation Lake St. Francis.. . . .	152.5
Western end of Isle aux Vache.. . . .	124.41
Western end of Quenneville Island.. . . .	116.44
Eastern end of Quenneville Island	108.84

For the purpose of locating these gauges in relation to the Company's works we forward herewith a rice paper copy of the plan of the river in the vicinity of the Company's Plant.

On June 9th of the present year, which was the first day the Canada Steamships Line started to run their Rapids' boats down through the Rapids, the "Rapids Prince" touched bottom in going through la barriere, Cedars Rapids, and as a result our work at Cedars was immediately blamed for the boat having touched bottom.

It is interesting to note that the boats have continued to run the Rapids every day since the 9th inst., and have not grounded although the water is lower in the river and the condition of our dam is exactly the same as on the 9th inst.

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We think you are sufficiently acquainted with the conditions that exist in the Cedars Rapids during the winter season to know that the large volumes of anchor ice that are formed in the Rapids are responsible for the movement of large boulders, and also changed the shore line conditions along the islands. We have experienced ourselves a very serious condition as the result of the movement of large boulders during the ice season.

If there is any further information you would like on this matter in the way of records of water elevations we would be most pleased to furnish same.

It has been suggested that possibly the cause of the trouble of the boat grounding was our drawing more water through the plant than we are entitled to. For your information I beg to advise you that our contract with your Department permits us to use 56,000 sec. feet of water, and up to the present time we have not used any more than approximately 43,000 to 44,000 sec. ft. and each day's usage at the present is practically uniform.

In our opinion either one of two things happened to cause the grounding of the "Rapids Prince,"—the pilot either mistook the channel owing to the absence of some of his monuments, which are in no way permanent, or else the anchor ice during the past winter carried down large boulders which lodged in the gate at the point where the boat struck.

The work, which is contemplated by the application made to your Department, filed in April of the present year, will in no way affect navigation, as you will readily ascertain by looking at the plans filed.

It is very important to us to have the approval of our plans at once in order that we can begin our construction work so that the glance boom and ice piers will be completed in time to protect our plant and improve operating conditions during next winter.

We would consider it a great favour if you can see your way clear to having this matter disposed of at once.

Yours truly,

(Sgd.) MONTREAL LIGHT HEAT & POWER CONSOLIDATED.

R. M. WILSON,
Chief Electrical Engineer.

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KINGSTON, ONT., July 12, 1922.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa, Ont.

Referring letter nineteenth Isle aux Vaches dam, President Marine Association advises that Department's engineers and others yesterday satisfied him as to construction works under way but this association should maintain right to question amount of water withdrawn by Company. Protest therefore temporarily withdrawn; shall write again after meeting at Montreal, Friday.

(Sgd.) FRANCIS KING.

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OTTAWA, July 13, 1922.

A. ST. LAURENT, Esq.,
Chief Engineer, Public Works Department,
Ottawa.

Sir,—I have the honour to state that following an interview with Mr. A. W. Wilson, Chief Electrical Engineer, Montreal Light Heat and Power Consoli-

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dated, the enclosed letter has been received from him refuting the allegations made that navigation in the Cedars Rapids was being injured by the power company's works.

Briefly the extension of the power dam above Ile aux Vache was authorized and work began June 1920 and it was completed October 1921, since when no further extension has been made. The Marine Association protested this work 1st May, 1921, but on 17th May the Power Company took the rapids boat captains through the Cedars chutes and both were satisfied that navigation conditions had not been interfered with. At this time the new bank was 50 per cent completed, and the boats continued to run the rapids until the end of season without trouble.

On June 9th this year on first trip down the "Rapids Prince" touched in Cedars Rapids and a protest was made. Since however, the boat has been running every day without trouble.

After consideration it seems that possibly steering marks ashore have disappeared, or were confused on the occasion of the first trip this year. Possibly last winter's ice may have carried boulders and deposited them in a jam upon the edge of one of the shoals.

In the protest it was alleged that the regime of the St. Lawrence river had been altered and that the surface above and below the power works did not fluctuate as formerly. To examine into this condition, monthly mean readings for the last two years were plotted against one another and the results are enclosed in the form of a diagram. They indicate that nothing unusual has occurred, the gauges at Coteau Landing and Coteau du Lac above the works rising and falling in unison with the gauge at St. Timothee. The plotted points are within an inch or two of the theoretical line, the variation being due to prevailing winds and to the use of a constantly reading automatic gauge against a gauge read once a day at St. Timothee.

With regard to abstraction of water from the boat channel into the power works, the fact is that in the natural state 60,000 to 75,000 c.f.s. passed between Ile aux Vache and the north shore. At present according to the horse-power generated only 44,000 c.f.s. passes between Ile aux Vache and the north shore, the difference upwards of 15,000 c.f.s. is thrown into the navigation channel thereby improving its condition. Occasional meterings across the power canal would be advisable to check the consumption of water and directly prove that the public channel was receiving its proper amount.

Evidence as to maintained channel heights is also contained in Mr. Wilson's letter which shows that in August 1917 with Lake St. Francis, elev. 152.4 the foot of Quenneville Island which is situated well down the Cedars Rapids showed elev. 107.74. In June 1922, with Lake St. Francis at practically the same elevation, the foot of Quenneville Island showed elev. 108.84 or a good foot higher than five years previously.

It seems clearly settled that the steamboat channel through the rapids has not been injured by the power works and I recommend that the stay in granting the application for the ice boom be removed, and that the company's request be approved.

I have the honour to be, Sir,

Your obedient servant,

(Sgd.) C. R. COUTLEE.

Engineer, Grade II.

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OTTAWA, July 18, 1922.

SIR,—Referring to previous correspondence, I enclose the following papers relative to the application of the Cedars Rapids Manufacturing and Power Company for approval of ice protection piers and a glance boom proposed to be constructed at Cedars, P.Q.:

1. Letter dated July 10, 1922 from Mr. R. M. Wilson, Chief Electrical Engineer of the Montreal, Light, Heat and Power Consolidated.

2. Report of July 13, 1922 from Mr. C. R. Coutles, our Engineer.

Your obedient servant,

(Sgd.) L. H. COLMAN.

Assistant Secretary.

FRANCIS KING, Esq. K.C.,
Dominion Marine Association,
Kingston, Ont.

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KINGSTON, July 19, 1922.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa, Ont.

Dear Sir.—I beg to refer to my telegram of the 12th instant, with reference to the dam under construction at Isle aux Vaches and with reference to my letter of the 19th ultimo.

The matter received further consideration at a meeting of the Executive Committee of this Association in Montreal and I have now been instructed to confirm the substance of the telegram mentioned withdrawing the Association's protest as to the construction works but preserving the right to question the amount of water withdrawn by the company.

Yours very truly,
(Sgd.) FRANCIS KING.

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OTTAWA, July 21, 1922.

Dear Sir.—In the absence of the Deputy Minister I beg to acknowledge receipt of your favour of the 19th instant, with reference to the dam under construction at Isle aux Vaches, and confirming the substance of your telegram withdrawing the protest of the Dominion Marine Association to the construction of this work, but reserving the right to question the amount of water withdrawn by the Company.

Yours very truly,
(Sgd.) L. H. COLMAN,
Act'g. Deputy Minister.

FRANCIS KING, Esq., K.C.,
Kingston, Ont.

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P. C. 1681

CERTIFIED COPY of a Report of the Committee of the Privy Council approved by His Excellency the Governor General on the 14th August 1922.

The Committee of the Privy Council have had before them a report dated 3rd August, 1922, from the Minister of Public Works, submitting that on January 6th, 1906, an Order in Council was passed approving of the plans submitted by the Cedars Rapids Manufacturing and Power Co. under the Statute 4 Edward VII, Chapter 65, 1904, of certain power development works proposed to be built in the River St. Lawrence at St. Joseph de Soulanges, in the Province of Quebec. The Order in Council also approved of the book of reference describing the various lots which the Company desired to expropriate in connection with the said works, and it provided that the approval of the plans and the book of reference should not be effective until an agreement had been passed between the Crown and the Company;

By the statute referred to the Company was given power, amongst other things, to construct, develop, acquire, own, use and operate water powers in or adjacent to the St. Lawrence River, in the County of Soulanges and Province of Quebec, and to construct, operate, and maintain, works, canals, race-ways, water courses, dams, piers, booms, dykes, sluices, conduits and buildings in connection with the said water powers, provided that any work authorized by the said Act should not be commenced until the plans thereof had first been submitted to and approved by the Governor General in Council.

Before entering into the agreement mentioned the matter was referred to the International Waterways Commission, which, after careful examination, reported that though they were unable to form opinion in detail as to the effect of the proposed works on navigation, they did not consider that fact a valid reason for reporting adversely against the scheme as outlined, assuming that in the detailed plans which were to be submitted later for the approval of the Minister of Public Works the interests of navigation would be safeguarded.

Pursuant to the authority granted in the Order in Council of January 6, 1906, an agreement was entered into on May 28, 1909, a copy of which is attached hereto, between the Crown, as represented by the Minister of Public Works, and the said company, in which were stipulated, amongst other conditions, the following:—

1. That the company will so construct their works that the general navigation of the St. Lawrence River shall not be impeded or interfered with, and that the diversion of water shall not be so great or so effected as to in any way injure the navigation on the St. Lawrence River.

2. That, if at any time, in the opinion of the Minister or of any engineer appointed by the Minister for that purpose, the navigation of the St. Lawrence has been injuriously affected by the said works, then the company shall at once construct and maintain remedial or compensating works, or such other works in addition thereto or in substitution therefor as in the opinion of the Minister may be necessary to fully restore and maintain the said navigation of the St. Lawrence.

3. That, in the event of such remedial works not having the effect anticipated, the company shall modify, alter or remove such portion of their said works, or so reduce the use of the water provided by the said works as in the opinion of the Minister may be necessary to fully restore and maintain the said navigation;

4. That no construction shall be commenced before detail plans have been submitted to and approved of by the Minister.

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5. That said works shall be constructed by the company subject to the approval of an engineer authorized for such purpose by the Minister of Public Works, etc.

In compliance with condition No. 4 of the agreement referred to detailed plans of the proposed power development works were submitted by the company and approved by the Minister of Public Works, and by an Order in Council passed on October 26, 1911, the approval of the Minister of Public Works was confirmed, and it was provided that the Minister should appoint a special engineer to follow up the progress of the works and report to him from time to time as to the action to be taken to enforce all the conditions of the agreement and fully protect navigation interests.

On August 15, 1916, an Order in Council was passed giving the Cedars Rapids Manufacturing and Power Company permission to divert from the St. Lawrence River, in connection with its power works at St. Joseph de Soulanges, an additional 19,000 cubic feet a second of waste water from November 20 in each year to May 20 in each succeeding year, subject to the condition that such permission did not imply a guarantee that the said quantity should be always available, and should not constitute a preferential right for the company when a general system of control and distribution of the waters of the St. Lawrence would be established at the outlet of Lake St. Francis.

The Cedars Rapids Manufacturing and Power Company applied under Section 7 of the Navigable Waters Protection Act for approval of the plan and description of the site of a wing dam proposed to be constructed on its property known as Isle aux Vaches, and extending upstream in a westerly direction for a distance of approximately 3,500 feet;

Under date of November 12, 1920, an Order in Council issued approving of the plan and description of the site of the wing dam referred to, such approval being subject to the terms of the agreement of May 28, 1909, and further, to the following conditions:

1. That the company shall secure from the Provincial Government of Quebec the necessary portion of the river bed required for the work.

2. That beacons or signals shall be maintained by the company at its expense, so as to show the end of the pier or the open space reserved for navigation.

3. That openings shall be maintained at the expense of the company to give access to the Cedars Wharf.

4. That the depth of dumped material shall not be less than 14 feet at low water.

It was mentioned in the Order in Council of November 12, 1920, that the application for approval of the wing dam was referred to the Department of Justice which reported in effect that it was not one which needed to be referred to the International Joint Commission but that it was purely a domestic matter for the consideration of the Governor General in Council under the provisions of the Navigable Waters Protection Act.

The Dominion Marine Association entered a protest against the wing dam referred to on the ground that it caused interference with the level of the river, but later withdrew the protest reserving the right to question the amount of water withdrawn by the company.

The Cedars Rapids Manufacturing and Power Company has now applied for approval of the plan and description of the site of ice protection piers and a glance boom which it proposes to build in the St. Lawrence River at Cedars in connection with the said power development, according to the plan and description hereto annexed.

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The Engineer of the Department of Public Works at Montreal has recommended the approval of the application subject in effect to the following conditions:

1. That the company shall agree to modify and increase the size of the opening when it is found that navigation requires an increased passage way.

2. That the general conditions in the agreement of May 28, 1909, and in the Orders in Council of August 15, 1916, and November 12, 1920, shall apply.

3. Plans to be approved by the Minister of Public Works before the company can begin works.

4. That the construction of the works shall be subject to the approval of an engineer designated for the purpose by the Minister of Public Works.

5. That the company is to pay all damages arising from the development of the works.

6. Lights or signals which may be necessary shall be established and maintained at the company's expense.

7. Beacons shall be erected on each of the two side piers marking the open space to the best possible channel, these beacons to be easily visible at daylight at a distance of two miles; the size, elevation and colour of the beacons to be satisfactory to the engineer of the Department of Public Works so designated.

8. Should the Department of Public Works consider it advisable the company may be required to install posts or signals on land to show the range of the channel inside the power canal.

The Chief Engineer and the Deputy Minister have concurred in the Engineer's report, the company having secured the right to use the site of the work. The Deputy Minister considers that as to conditions 6, 7 and 8 regarding the beacons and signals that this would properly come under the jurisdiction of the Department of Marine and Fisheries;

The Department of Justice has reported that all the requirements of Section 7 of the Navigable Waters Protection Act have been complied with, and that the application may now properly be submitted for the approval of the Governor General in Council subject in effect to the conditions mentioned.

The Minister, therefore, recommends the approval, under Section 7 of the Navigable Waters Protection Act, Chapter 115, Revised Statutes of Canada, 1906, of the attached plan, and description of the site of ice protection piers and a glare boom proposed to be built by the Cedars Rapids Manufacturing and Power Company in the St. Lawrence River at Cedars, such approval to be subject to the following conditions:—

1. That the company shall agree to modify and increase the size of the opening when it is found that navigation requires an increased passage way.

2. That the general conditions in the agreement of May 28, 1909, and in the Orders in Council of August 15, 1916, and November 12, 1920, shall apply.

3. Plans to be approved by the Minister of Public Works before the company can begin works.

4. That the construction of the works shall be subject to the approval of an engineer designated for the purpose by the Minister of Public Works.

5. That the company is to pay all damages arising from the development of the works.

6. Lights or signals which may be necessary shall be established and maintained at the company's expense, satisfactory to the Department of Marine and Fisheries.

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7. Beacons shall be erected on each of the two side piers marking the open space to the best possible channel, these beacons to be easily visible at daylight at a distance of two miles; the size, elevation and colour of the beacons to be satisfactory to the Department of Marine and Fisheries.

8. Should the Department of Marine and Fisheries consider it advisable the company may be required to install posts or signals on land to show the range of the channel inside the power canal.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) RODOLPHE BOUDREAU,
Clerk of the Privy Council.

3560—1D

THIS AGREEMENT made in duplicate this twenty-eighth day of May in the year of Our Lord one thousand nine hundred and nine:—

Between His Majesty King Edward the Seventh, represented, by The Honourable William Pugsley, His Majesty's Minister of Public Works of Canada, hereinafter called "The Minister"

Of the First Part;

And the Cedars Rapids Manufacturing and Power Company, hereinafter called "The Company" represented and acting by James William Denville, its President, and Casimir Dessaulles, Secretary, duly authorized by a resolution of the Board of Directors of said company passed on the 8th May, 1909, a certified copy whereof is hereunto annexed.

Of the Second Part;

Whereas the company was duly incorporated by an Act of Parliament of Canada, in 1904, Chapter 65, and was given power, amongst other things, to construct, develop, acquire, own, use and operate water powers in or adjacent to the River St. Lawrence in the County of Soulanges, in the Province of Quebec, and to construct, operate and maintain works, canals, race-ways, water courses, dams, piers, booms, dykes, sluices, conduits and buildings in connection with the said water powers, provided that any work by the said Act authorized should not be commenced until the plans thereof had first been submitted to and approved by the Governor in Council.

And whereas it is by the said Act also provided that lands actually required for the construction, maintenance or operation of the power, canals, water courses, race-ways, reservoirs, dams, booms, piers, dykes, transmission lines and conduits of the company may be taken and acquired by the company subject to the approval of the Governor in Council and subject also to such of the provisions of the Railway Act 1903, as are applicable to such taking and acquisition.

And whereas the said Company have applied for the approval by His Excellency the Governor in Council of the plans for the construction of a masonry dam with sluice gates from the lower point of l'Île aux Vaches running in an easterly direction about 500 feet; of an earth dyke running thence in the same direction to the mainland of Pointe des Cedres, a distance of about 600 feet; for a channel to be cut through said Pointe des Cedres about 2,600 feet in length; and from thence to erect an earth dyke from such channel about 3,200 feet in length to the upper end of Ile Bedard of an earth dyke from the lower end of Ile Bedard running in about the same direction for a length of about 1,200 feet to Pte. du Moulin; and a masonry

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dam from Pointe du Moulin running the same direction about 400 feet in length and of a power house situated on the said last-mentioned dam (the said dams, dykes, channel and power house being hereinafter referred to as the said "Works"). The whole as will more fully appear upon reference to the plan dated the eighth day of September A.D. 1905 and signed by the parties hereto *ne varietur*.

And whereas the company have also applied for the approval of the Governor in Council to the taking and acquiring by the said company of the lands required for the said works, which said lands are described in the Book of Reference prepared by the said company, a copy of which is hereto attached marked "Schedule A" (which said lands are hereinafter referred to as the said "lands").

And whereas by an Order in Council bearing date the 6th day of January A.D. 1906, a copy of which is hereto annexed, marked B, the plans of the said works and of the acquiring of the said lands by the company have been approved by His Excellency the Governor in Council upon condition that the company enters into an agreement with His Majesty represented as aforesaid, for the protection of certain rights and interests therein referred to.

Now therefore these presents witness that the company for and in consideration of the approval of the plans for the said works, and for the acquisition of the said lands by the company for itself, its successors and assigns contracts and agrees with His Majesty represented as aforesaid as follows:—

1. That the said company will so construct the said works that the general navigation of the St. Lawrence River shall not be impeded or interfered with and that the diversion of water shall not be so affected as to in any way injure the navigation on the St. Lawrence River, such diversion not to exceed the quantity mentioned in Order in Council dated 6th January 1906, namely 350,000 gallons per second.

2. That if at any time in the opinion of the Minister or of any Engineer appointed by the Minister for that purpose, the navigation of the St. Lawrence has been injuriously affected by the said works, then the company shall at once construct and maintain dykes or dams of which the location and mode of construction shall be determined by the Minister, from the lower end of Ile à l'Ail to the upper end of Ile No. 467 of the official cadastral plan and book of reference of the said Parish of St. Joseph de Soulanges, a length of about 600 feet; and from the lower end of the said Island No. 467 to the upper end of Ile Villomoble a length of about 700 feet; and from time to time build and maintain such other works in addition thereto or in substitution therefor as in the opinion of the Minister may be necessary to fully restore and maintain the navigation of the St. Lawrence.

3. That if the works directed by the Minister to be built by the company under the provisions of the last clause shall not have the effect of fully restoring and maintaining the navigation of the St. Lawrence River, then in such case the company shall alter, modify or remove such portion of their said works, or so modify or reduce the use of the water provided by the said works as in the opinion of the Minister may be necessary to fully restore and maintain the said navigation.

4. That the company shall not commence the construction of the works until the proposed sites, plans and details of construction and all necessary information respecting the said works have been submitted to and approved of by the Minister.

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5. That the said works shall be constructed by the company subject to the approval of an Engineer authorized for such purpose by the Minister of Public Works, and the decision of the said Engineer shall be final and conclusive upon all questions that may arise in connection with such construction.

6. That the company will settle, pay and fully provide for the claims of all riparians and other persons who may sustain any loss or damage in consequence of the construction of the said works or of any of the works which the company may be required to construct and maintain for the purpose of restoring or maintaining the navigation of the St. Lawrence.

7. That it is distinctly understood and agreed that nothing in these presents contained shall in any way relieve the said company from its obligation to observe and abide by all the provisions of its said Act of Incorporation or of any of the provisions of the Railway Act 1903 that may be applicable to it.

8. That if, in the opinion of the Minister of Public Works, the construction of these works should impede the free passage of rafts down the river, provision shall be made to pass rafts through the power canal, and a proper slide shall be provided at the lower end of the said canal, such opening and slide to be provided and operated at the expense of the said company.

9. That the Hon. the Minister of Public Works may establish and maintain at the expense of the company on the dam or appurtenant works such lights and other signals as he may deem necessary on account of the existence of the proposed works for the protection of navigation.

10. Provided further that the company shall commence their works within a period of 3 years and shall complete the development of a minimum quantity of 30,000 horse power within a period of 10 years from the date of signing this agreement.

11. Whenever in this agreement "the company" is referred to such reference shall include the heirs, executors, administrators, and assigns, and whenever "His Majesty" or "The Minister" is referred to, such reference shall include his Successors and Assigns.

In witness where of, the parties hereto of the first and second parts have hereunto set their hands and seals the day, month and year first above written.

Signed, Sealed and Delivered by the
Deputy Minister and counter-
signed by the Secretary of the
Department of Public Works in
the presence of:

(Sgd.) J. B. HUNTER,
Deputy Minister of Public Works.
NAP. TESSIER,
Secretary.

(Sgd.) J. A. CHASSE.
Signed, Sealed and Delivered by the
company in the presence of:

(Sgd.) The CEDARS RAPIDS MANU-
FACTURING AND POWER COMPANY.
JAS. W. DOMVILLE,
President.

(Sgd.) S. LEMAY.
PAUL J. LORRAIN.

C. DESSAULLES,
Secretary.

[Seal] P.C. No. 1681

ORDER IN COUNCIL

Dated 14 August, 1922.

Privy Council, Canada.

(Sgd.) RODOLPHE BOUDREAU,
Clerk of the Privy Council.

SESSIONAL PAPER No. 101d

3560-1D.

OTTAWA, August 18, 1922.

GENTLEMEN,—I send you herewith a copy of an Order in Council passed on August 14 instant, approving subject to certain conditions of the plan and description of the site of ice protection piers and a glance boom proposed to be built by the Cedars Rapids Manufacturing & Power Company at Cedars, P.Q. I enclose also copies of the plan and description approved by the Order in Council.

Kindly acknowledge receipt of these documents.

(Sgd.) L. H. COLMAN.

Assistant Secretary.

Messrs BROWN, MONTGOMERY & McMICHAEL,
Barristers, etc.,

Dominion Express Building, Montreal, P. Q.

3560-1D

OTTAWA, August 19, 1922.

R. M. WILSON, Esq.,
Montreal Light, Heat and Power Consolidated,
Montreal, P.Q.

Council has granted authority for approval your works at Cedars. Instructions being issued to-day to Engineer Papineau by letter.

(Sgd.) A. ST. LAURENT.

3560-1D

MONTREAL, August 21, 1922.

L. H. COLMAN, Esq.,
Assistant Secretary, Dept. Public Works,
Parliament Buildings, Ottawa.

Re Ice protection piers and glance booms Cedars Rapids Manufacturing and Power Company, at Cedars.—Your file No. 3560-1C.

DEAR SIR,—We are most obliged for your letter of the 18th instant enclosing copy of Order in Council, and also copies of plan and description as approved by the Order in Council.

Yours very truly,

(Sgd.) BROWN, MONTGOMERY & McMICHAEL.

3560-1D

OTTAWA, February 27, 1924.

J. B. HUNTER, Esq., C.M.G.,
Deputy Minister of Public Works,
Ottawa, Ont.

Re Cedar Rapids Manufacturing and Power Company

DEAR SIR,—By agreement dated the 28th day of May, 1909, the Cedar Rapids Manufacturing and Power Company obtained the right to use 350,000 gallons of water per second from the St. Lawrence River. This is equivalent to 56,000 cubic feet.

The works of the Company were approved apparently by an Order in Council dated January 6th, 1906, which is attached to the agreement.

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Reference to the agreement shows that the whole arrangement with the Company was conditional upon the preservation of navigation on the St. Lawrence and it specifically provided that it shall not be impeded or interfered with and that the diversion of water shall not be so affected as to in any way injure the navigation of the St. Lawrence River. The Company is expressly prohibited from taking more than 350,000 gallons of water per second. Paragraph 2 of the agreement provides, among other things, that if at any time in the opinion of the Minister or any engineer appointed by the Minister for that purpose, the navigation of the St. Lawrence River has been injuriously affected by the said works, the Company is bound to construct dykes and dams as therein provided for the purpose of restoring and maintaining the navigation of the river. Clause 3 of the agreement makes this last provision more drastic and provides for the alteration and removal of the Company's works, if necessary.

I do not think it necessary to refer at greater length to the provisions of the agreement as the original is no doubt on file in the Department for reference.

Representing the Canada Steamship Lines, Limited, I have to say that during the years 1920, 1921, 1922 and 1923 it has been brought to our attention that navigation has been seriously impaired and on many occasions of which we can furnish the Department with full evidence, our steamships, the *Rapids Queen* and *Rapids King* and the *Rapids Prince* have struck bottom and sustained damage at the point in the river affected by the works and operations of the power company and navigation has apparently been seriously interfered with.

This interference with navigation may be due to the construction of the works of the Company, or to the Company taking more water from the river than the quantity stipulated in the agreement. In either case, the remedy under the agreement appears to be in the hands of the Minister of Public Works. As I said in the earlier part of the letter, the agreement gives him power to compel the Company to preserve free navigation even if it should be necessary to order some of the works to be removed.

The Canada Steamship Lines do not desire to be unreasonable in the matter. This Company is only concerned with the preservation of navigation but the interference with navigation at this place has reached such a point that it has become almost unsafe to bring down our boats laden as they are with passengers.

We would therefore respectfully request that the Minister of Public Works exercise his powers under the agreement and investigate first, the question as to whether the Company is taking from the river more water than the quantity stipulated. It has been stated that this is the case but the Steamship Company has no means of verifying this. It is however, in the power of the Minister to do so. Secondly, we would respectfully request that investigation be made to ascertain whether the works of the Company constructed under the above mentioned Order in Council and agreements have had the effect of interfering with free navigation of the river. If it should be found on investigation that the Company is taking too much water from the river or that the works interfere with navigation, on behalf of the companies and persons navigating the river, we would further respectfully request that steps be taken by the Minister to relieve the situation under the powers vested in him by the agreement.

I shall be glad any time to attend at your convenience to discuss the matter further and the Canada Steamship Lines will be glad to furnish you with whatever evidence you may require which is in their possession.

Yours respectfully,

(Sgd.) N. G. GUTHRIE.

SESSIONAL PAPER No. 101d

3560-1D

OTTAWA, February 28, 1924.

DEAR SIR.—I am in receipt of your favour of the 27th instant, suggesting that the Cedar Rapids Manufacturing & Power Company is using a larger quantity of water on the St. Lawrence than authorized by their agreement, and that the effect is detrimental to navigation and is complained of by the Canada Steamship Lines, Limited.

The matter will be duly investigated.

Yours truly,

(Sgd.) J. B. HUNTER,
Deputy Minister.

N. G. GUTHRIE, Esq.,
Barrister,
Ottawa, Ont.

3560-1D

OTTAWA, February 29, 1924.

J. B. HUNTER, Esq., C.M.G.,
Deputy Minister of Public Works,
Ottawa, Ont.

Re Cedar Rapids Manufacturing & Power Company.

DEAR MR. HUNTER.—I have your letter of February 28th, informing me that the subject matter of the Canada Steamship Company's complaint will be duly investigated.

I have a letter from the Secretary of the Company to-day asking me for information as to what evidence we will have to submit, as the Company desires to put the Department in possession of evidence that navigation has been seriously impaired and will probably want to produce technical evidence of engineers that this is due to the Cedar Rapids Company taking too much water or to the nature and character of the construction of their works. I would be glad to be advised on this point.

Yours respectfully,

(Sgd.) N. G. GUTHRIE,

3560-1D

OTTAWA, March 3, 1924.

DEAR SIR.—I am in receipt of your letter of the 29th ultimo, concerning the complaint made by the Canada Steamship Company re Cedar Rapids Manufacturing and Power Company, and if you submit all the evidence the Canada Steamship Company has in support of this complaint, it will facilitate the study of this matter by the Department. I take it that evidence as to the nature and character of the construction of the Cedar Rapids Manufacturing and Power Company's works need not be supplied.

Yours very truly

(Sgd.) J. B. HUNTER,
Deputy Minister.

N. G. GUTHRIE, Esq.,
Barrister, etc.,
Citizen Building, Ottawa.

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LACHINE

10730-1

OTTAWA, January 29, 1924.

DEAR SIR,—With reference to the application on behalf of the Lachine Rapids Hydraulic & Land Company, Ltd. for approval of plans and site of proposed development in replacement of the existing development at Lachine Rapids, I would advise you that this application has been referred to our District Engineer in Montreal, Mr. J. L. Dansereau, for a report, and I have advised Mr. Dansereau to communicate with you for any further information which he may require in the matter.

When Mr. Dansereau's report is received I will be pleased to make an appointment with you here, so that the matter may be further considered.

Yours very truly,

(Sgd.) K. M. CAMERON,
Chief Engineer.

Mr. POPE,
Care Montreal Light, Heat & Power Consolidated,
Montreal, P.Q.

10730-1

MONTREAL, February 2, 1924.

The Minister of Public Works,
Ottawa, Ont.

Re Navigable Waters Protection Act and proposed application of the Lachine Rapids Hydraulic & Land Company, Ltd.

DEAR SIR,—We are writing on behalf of Messrs. F. H. and C. W. Peniston of Verdun, Que., the owners of Lot No. 999, cadastre of the Parish of Lachine, now in the Town of Lascalle.

On examination of the plans deposited by the above named Company under section 7 of the said Act, in the Registry Office of the Registration Division of Hochelaga and Jacques Cartier at Montreal, we find that a portion of our clients' property will evidently be used by the Company for the purposes of its proposed development, and that not only this portion but the entire lot of property will suffer a very serious detriment.

No steps have as yet been taken by the Lachine Rapids Hydraulic & Land Company, Limited to procure from our clients the necessary rights or offer them any compensation. Hence we must, on their behalf and in protection of their interests place ourselves on record as opposing the proposed development.

We would be glad to make personal representations to you in support of our clients' opposition if and when you should so desire or deem necessary.

Would you kindly acknowledge receipt hereof.

Your very truly,

(Sgd.) LAFLEUR, MacDOUGALL, MacFARLANE & BARCLAY.

SESSIONAL PAPER No. 101d

10730-1

MONTREAL, February 4, 1924.

To the Honourable J. H. KING,
Minister of Public Works,
Parliament Bldgs., Ottawa.

DEAR SIR,—Our attention has been drawn to a notice published in our daily papers by the Montreal Light, Heat and Power Company, under the "Navigable Waters Protection Act" advising that they are asking for leave to erect a power plant in front of Lot 4687, P. of Montreal, (City of Verdun).

We understand that opposition to this project is to be heard before you; would you be kind enough to advise us when and where such hearing will take place.

Being the owners of said Lot 4687 we are deeply interested in this case and would be very thankful should you accede to our request.

We beg to remain, dear sir,

(Sgd.) THE GREATER MONTREAL LAND COMPANY,
J. Ald. OUMET,
Manager.

10730-1

OTTAWA, February 5, 1924.

DEAR SIR,—I have yours of the 2nd instant protesting against the application of the Lachine Rapids Hydraulic and Land Company, Ltd., for approval of plans and site of proposed development in replacement of the existing development at Lachine Rapids, and shall be pleased to have your representations looked into and reported upon by the Engineering Branch.

Your sincerely,
(Sgd.) J. H. KING.

MESSRS. LAFLEUR MACDOUGALL, MACFARLANE BARCLAY,
Barristers, Royal Trust Building,
Montreal, P.Q.

10730-1

OTTAWA, February 7, 1924.

DEAR SIR,—I am in receipt of your letter of the 4th instant in which you state that your attention has been drawn to a notice published in your daily papers by the Montreal, Light, Heat and Power Company, under the Navigable Waters Protection Act advising that they are asking for leave to erect a power plant in front of Lot 4687, P of Montreal, City of Verdun.

This application is now being considered by the Engineering Branch of this department. Will you please file in writing as soon as possible any objections which you have to this application so that they may be carefully studied.

If a public hearing is held in connection with this application, you will be advised in good time so that you may have a representative present.

Yours sincerely,
(Sgd.) J. H. KING.

J. A. OUMET, Esq.,
Manager,
"The Greater Montreal Land Company,
160 St. Jacques, Montreal, P.Q.

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10730-1

OTTAWA, February 9, 1924.

J. B. HUNTER, Esq., B.A.,
Deputy Minister of Public Works,
Ottawa, Ont.

DEAR SIR,—I note that the Lachine Rapids Hydraulic and Land Company, Limited are advertising under the Navigable Waters Protection Act the deposit of plans in connection with a proposed hydro-electric development in the St. Lawrence River at Lachine Rapids, in front of lots numbers 993, 994, 995, 996 and 999, Cadastre of the Parish of Lachine. I am instructed by my clients the Canada Steamship Lines, Limited, to protest against the approval of these plans on the ground of interference with navigation through reducing the depth of water or altering the currents in the river. I therefore respectfully request that before this matter is dealt with, the fullest opportunity may be given to the Canada Steamship Lines, Limited, and others interested to lay before the Department their views on the subject. I would take it as a great favour if I could be advised that consideration of the application will be deferred until my clients and others interested have been heard.

Yours respectfully,
(Sgd.) N. GUTHRIE.

10730-1

OTTAWA, February 11, 1924.

DEAR SIR,—I am in receipt of your letter of the 9th instant, protesting against the application of the Lachine Rapids Hydraulic and Land Company, Limited, for approval of plans for a proposed hydro-electric development in the St. Lawrence River at Lachine and will be pleased to see that your representations are given careful consideration when the matter is reported upon by the Engineering Branch.

Yours sincerely,
(Sgd.) J. B. HUNTER,
Deputy Minister.

N. G. GUTHRIE, Esq.,
Barrister,
Citizen Building, Ottawa.

10730-1

KINGSTON, ONT., February 11, 1924.

J. B. HUNTER, Esq.,
Deputy Minister of Public Works,
Ottawa.

DEAR SIR,—It has just come to the notice of the Dominion Marine Association that The Lachine Rapids Hydraulic and Land Company, Limited, is applying for approval of plans for certain developments and that the one month's notice is on the point of expiring. The plans have not yet been examined by the Association and formal action is scarcely possible until the next meeting of the Executive Committee, but I am asked in the meantime to lodge a necessary protest on behalf of the Association and to ask for time for consideration. I shall be glad to know that this is in order and I shall endeavour to have advise at an early date.

I have the honour to be, sir,
Your obedient servant,
(Sgd.) FRANCIS KING.

SESSIONAL PAPER No. 101d

10730-1

OTTAWA, February 13, 1924.

DEAR SIR,—I have yours of the 11th instant protesting against the application of The Lachine Rapids Hydraulic and Land Company Limited for approval of plans and site of proposed development in replacement of the existing development at Lachine Rapids and shall be pleased to have your detailed objections to the proposal as soon as possible so that they may be given consideration.

Yours truly,
(Sgd.) J. B. HUNTER,
Deputy Minister.

FRANCIS KING, Esq., K.C.,
Dominion Marine Association,
Kingston, Ont.

10730-1

*To the Minister of Public Works, Ottawa**Re: THE LACHINE RAPIDS HYDRAULIC AND LAND COMPANY, LIMITED**Navigable Water Protection Act, R.S.C., Chapter 115*

The City of Verdun objects to the carrying out of this work as it will be detrimental to the properties located in the limits of the City, and specially amongst other things to the water intake, to the sewers outlet, to the navigation, etc., and damages will result that will effect to considerable extent.

The City of Verdun wishes to have an opportunity to be heard when the application of the Lachine Rapids Hydraulic and Land Company, Limited will be made.

VERDUN, February 13, 1924.

(Sgd.) FAUTEUX & FAUTEUX,
Attorneys for said City of Verdun.

10730-1

VERDUN, February 13, 1924.

To the Honourable Minister of Public Works, Ottawa.

HONOURABLE SIR,—Enclosed please find an objection filed by the City of Verdun against the carrying out of the work proposed by the Lachine Rapids Hydraulic and Land Company Limited.

Would you be kind enough to give instructions to notify our offices when this case will be heard.

We have the honour to be,

Honourable sir,

Yours very truly,
(Sgd.) FRANCIS FAUTEUX.

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10730-1

OTTAWA, February 14, 1924.

DEAR SIR,—I have yours of the 13th instant with enclosed objection filed by the City of Verdun against the carrying out of the work proposed by the Lachine Rapids Hydraulic and Land Company Limited and as desired shall be pleased to advise your Office when this case is brought up for a hearing.

Yours sincerely,

(Sgd.) J. H. KING.

F. FAUTEUX, Esq.,
City Solicitor,
Verdun, P.Q.

10730-1

MONTREAL, February 22, 1924.

To the Honourable J. H. KING,
Minister of Public Works,
Ottawa, Ont.

Re Lachine Rapids Hydraulic & Land Company

DEAR SIR,—Please accept our sincere thanks for yours of the 7th ult; in connection with same we have learned that the objections filed to you by the City of Verdun cover very nearly all points of our case.

However we should feel much obliged to you should advise us in good time so that our counsel may be present at the hearing.

Your truly,

(Sgd.) THE GREATER MONTREAL LAND COMPANY.

Per J. A. OUMET,
Manager.